

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

REGULAR MEETING MINUTES

November 20, 2012, 7:00 PM
Aldermanic Chambers

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

OPENING OF THE MEETING

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

1. #193957 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

2. #193958 Approval of the Minutes of the Regular Meeting, October 25, 2012.
Minutes

RESULT: APPROVED

CITATIONS

3. #193959 By Ald. The Entire Board, and the Mayor
Citation Commending Eugene Brune, who is retiring after a lifetime of dedicated public service.

RESULT: APPROVED

4. #193960 Citation By Ald. Roche, Heuston, Taylor, Lafuente, and the Entire Board and the Mayor
Commending Police Captain David Fallon, who graduated this year from the prestigious Federal Bureau of Investigation National Academy.

RESULT: APPROVED

5. #193961 Citation By Ald. Heuston, and the Entire Board and the Mayor
Commending Brickbottom Artists Association, which celebrated its 25th year of opening its doors to the community for Open Studios this past weekend.

RESULT: APPROVED

6. #193962 Citation By Ald. The Entire Board, and the Mayor
Commending Detective Mario Oliveira, who was presented with the Alexander McQuestion Award as Police Officer of the Year by American Legion Post 19.

RESULT: APPROVED

7. #193963 Citation By Ald. The Entire Board, and the Mayor
Commending Firefighter Antonio Ciccolini, who was presented with the Thomas Chetham Award as Firefighter of the Year by American Legion Post 19.

RESULT: APPROVED

PUBLIC HEARINGS

8. #193964 Officer's Request Chief Assessor's Classification Hearing Report regarding the adoption of Tax Levy Percentages for FY 2013, including a minimum residential factor, a residential exemption, and an additional statutory exemption of up to 100%.

RESULT: APPROVED. [UNANIMOUS]

AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston, Taylor, Lafuente, O'Donovan, Gewirtz, Trane

Three motions were approved by Roll Call as above:

1. That this Board adopts a minimum residential factor of 86.6100, the legal minimum for the City of Somerville for FY2013.
2. That this Board accepts the provisions of Chapter 59, Section 5c approving a residential exemption of 30% of average assessed value for

owner occupied properties for FY2013.
3. That this Board accepts the provisions of Section 4 of Chapter 73 of the Acts of 1986 and votes an additional statutory exemption of up to 100% for FY2013.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

9. #193965 Order By Ald. Desmond, O'Donovan, Connolly
That the Commissioner of Public Works remove the graffiti from the Lowell Street bridge.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

10. #193966 Order By Ald. Desmond, O'Donovan, Connolly
That the City Clerk request that the State Delegation contact the MBTA to remove all graffiti from the retaining wall between the railroad tracks and the Lowell Street bridge.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

11. #193967 Order By Ald. Desmond, O'Donovan, Connolly
That the Chief of Police inspect the graffiti on the Lowell Street bridge and its retaining wall adjacent to the railroad tracks, to ascertain whether or not it is gang related.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

12. #193968 Order By Ald. Desmond, O'Donovan, Connolly
That the City Solicitor and the Director of Health update this Board on any requirements, conditions or issues pertaining to any person seeking to open a marijuana distribution site.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

13. #193969 Order By Ald. Lafuente, White Jr., Sullivan
That the Commissioner of Public Works adjust the manhole cover at 55 Marshall Street, to eliminate noise when cars travel over it.

RESULT: APPROVED

14. #193970 Order By Ald. Lafuente, White Jr., Sullivan
That the Commissioner of Public Works trim the tree at 7 Walnut Road.

RESULT: APPROVED

15. #193971 Order By Ald. Lafuente, White Jr., Sullivan
That the Commissioner of Public Works trim the tree at 183 Central Street, especially the top section which is dead and poses a safety issue.

RESULT: APPROVED

16. #193972 Order By Ald. Lafuente, White Jr., Sullivan
That the Director of Traffic and Parking evaluate the corner of Thurston Street and Evergreen Avenue for a STOP sign.

RESULT: APPROVED

17. #193973 Order By Ald. Lafuente, White Jr., Sullivan
That the Director of Traffic and Parking direct the owner of the property behind 278 Broadway to install a STOP sign at the corner of 278 Broadway, before the sidewalk.

RESULT: APPROVED

18. #193974 Order By Ald. Lafuente, White Jr., Sullivan
That the Director of SPCD (ISD) inspect the 350 Food Mart for overgrowth at the sides of the building and direct the owner to remove it.

RESULT: APPROVED

19. #193975 Order By Ald. Lafuente, White Jr., Sullivan
That the Director of SPCD (ISD) direct the owner of 269 Broadway to clean and wash the side of the building and to install security measures in the alcove to prevent access during off hours.

RESULT: APPROVED

20. #193976 Order By Ald. Connolly, Desmond, Sullivan, White Jr., Heuston That the Commissioner of Public Works repair non-working street lamps citywide.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

21. #193977 Resolution By Ald. Connolly, Heuston, Taylor, White Jr., Sullivan, Desmond That the Director of SPCD consider alternatives to deal with the concerns of pedestrians, businesses, residents and cyclists regarding the Beacon Street reconstruction project specific to the proposed "cycletrak" installation.

RESULT: APPROVED

22. #193978 Order By Ald. Trane, Connolly, Desmond, White Jr., Sullivan That the Director of Traffic and Parking investigate the cause of the recent critical injury at the intersection of Packard Avenue and Powderhouse Boulevard and report back to this Board on any necessary action.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

23. #193979 Order By Ald. Trane, Connolly, Desmond, White Jr., Sullivan That the Director of SPCD (ISD) inspect 24-26 Ossipee Road for building, health and zoning code violations and take all necessary actions.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

24. #193980 Communication By Ald. Taylor In his capacity as a member of the School Committee, conveying a report of the School Committee's activities.

RESULT: PLACED ON FILE

Ald. Taylor reported on 3 items:
1. The High School Boy's Soccer Team advanced to the State Semifinal

tournament this year.
2.The High School is proceeding with revamping its curriculum.
3.The School Committee is considering requesting a supplemental appropriation for salary adjustments for non-union personnel in the School Dept.

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

25. FINANCE COMMITTEE

- A. #193981 Report of the Committee on Finance, meeting on November 19, 2012.
Committee Report

RESULT: APPROVED

- B. #193786 Requesting approval of a \$10,000 grant from the MA Cultural Council to
Mayor's Request support the Arts Council's Books of Hope literacy program.

RESULT: APPROVED

- C. #193788 Requesting the acceptance of a gift in the form of light pole banners from
Mayor's Request Flagraphics, Inc.

RESULT: APPROVED

- D. #193846 Requesting the acceptance of an overtime reimbursement up to \$6,600 from
Mayor's Request Federal Realty to cover Police expenses associated with the Riverfest
Fireworks event on September 15, 2012.

RESULT: APPROVED

- E. #193867 Requesting approval for the Law and/or Personnel Depts. to retain the
Mayor's Request services of the law firm Deutsch Williams Brooks DeRensis Holland PC.

RESULT: APPROVED

- F. #193889 Requesting authorization to borrow \$530,949 in a bond, and appropriate the
Mayor's Request same amount, for the reconstruction of public streets.

RESULT: APPROVED. [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Heuston, Taylor,
O'Donovan, Gewirtz, Trane
ABSENT: William M. Roche, Tony Lafuente

- G. #193890 Requesting an appropriation of \$150,000 from the Capital Stabilization
Mayor's Request Fund for the reconstruction of private ways.

RESULT: APPROVED. [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston,
Taylor, O'Donovan, Gewirtz, Trane
ABSENT: Tony Lafuente

- H. #193901 Requesting authorization for the Department of Public Works to pay FY12
Mayor's Request invoices totaling \$2,475.27.

RESULT: APPROVED

- I. #193902 Requesting authorization for the Police Department to pay Fiscal Year 2012
Mayor's Request invoices totaling \$340.10.

RESULT: APPROVED

- J. #193903 Requesting approval to declare as Surplus 8 vehicles in the Police
Mayor's Request Department.

RESULT: APPROVED

- K. #193904 Requesting acceptance of a grant of \$186,976 from the MA Office of Public
Mayor's Request Safety and Security for the Police Dept., for State 911 Department Support.

RESULT: APPROVED

- L. #193919 Requesting an appropriation of \$222,779 from the Capital Stabilization
Mayor's Request Fund to fund the Second Phase of the Davis Square Streetscape and
Transportation Design Contract.

RESULT: APPROVED. [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston,
Taylor, O'Donovan, Gewirtz, Trane
ABSENT: Tony Lafuente

- M. #193950 Mayor's Request Requesting the acceptance of a grant of \$24,765 from the Department of Justice, for the Police to purchase tactical gear and enhance the use of force simulator.

RESULT: APPROVED

- N. #193951 Mayor's Request Requesting the acceptance of a donation of \$200 from the Somerville Dog Owners Group (Som/Dog) to the Animal Control Dept.'s Revolving Fund.

RESULT: APPROVED

- O. #193956 Mayor's Request Requesting an appropriation of \$17,963 from the Receipts Reserved for Appropriation-Insurance Losses Account to the Fire Other Lump Sum Settlements Account to reimburse firefighters for personal property losses.

RESULT: APPROVED

26. LEGISLATIVE MATTERS COMMITTEE

- A. #193982 Report of the Committee on Legislative Matters, meeting on November 14, Committee Report 2012.

RESULT: APPROVED

- B. #192528 Order By Ald. Trane, Heuston, Sullivan That the City Solicitor immediately draft a City Ordinance for the licensing of food trucks.

RESULT: WORK COMPLETED

- C. #193341 Resolution By Ald. Connolly That this Board requests that the Administration submit a list of proposed pre-approved locations for vendor operations to this Board for approval.

RESULT: PLACED ON FILE

- D. #193397 Assistant City Solicitor responding to #192528 re: the Mobile Food Vendor Officer's Ordinance.
Communication

RESULT: PLACED ON FILE

- E. #193400 Dalel Company dba Dunkin Donuts responding to #192966 re: recycling at Public 282 Somerville Ave., 14 McGrath Hwy., and 90 Washington St.
Communication

RESULT: WORK COMPLETED

- F. #193556 McDonald's responding to #192966 re: recycling at 243 Elm St. and 14 Public McGrath Hwy.
Communication

RESULT: WORK COMPLETED

- G. #193631 Requesting the amendment of Ordinance Section 15 re: Ethics.
Mayor's Request

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

ORDAINED AS AMENDED: Approved as Amended in Committee and presented November 20, 2012.

- H. #193831 By Ald. Gewirtz
Ordinance That Ordinance 8-67 (Gold, silver and metal objects) be amended by reducing the time for Junk Dealers to hold gold, silver or metal from 45 days to 30 days before reselling it.

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]
MOVER: Rebekah Gewirtz, Ward Six Alderman
AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston, Taylor, Lafuente, O'Donovan, Gewirtz, Trane

ORDAINED AS AMENDED: Also in Sec. 8-67, replace the word "antiques" with the word "items".

- I. #193983 Order By Ald. Connolly
That the Chief of Police report to the Committee on Legislative Matters the number of junk dealers and pawn brokers operating in the city.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

27. LICENSES AND PERMITS COMMITTEE

- A. #193984 Report of the Committee on Licenses and Permits, meeting on November
Committee Report 14, 2012.

RESULT: APPROVED

- B. #193655 Order By Ald. Taylor
That the Clerk of Committees notify the owner of Lien's Auto Repair, located at 65½ Bow Street, to appear at the next meeting of this Board's Committee on Licenses and Permits, to discuss possible overcrowding of their parking lot in violation of their Used Car Dealer's license.

RESULT: WORK COMPLETED

- C. #193943 License/Permit Renewing Garage License, American Auto Gallery, 682 Mystic Ave.

RESULT: APPROVED WITH CONDITIONS

CONDITION: Approved for 30 days only.

- D. #193944 License/Permit Renewing Used Car Dealer Class 2 License, American Auto Gallery, 682
Mystic Ave.

RESULT: APPROVED WITH CONDITIONS

CONDITION: Approved for 30 days only.

- E. #193946 License/Permit New Fortune Teller License, Maryann Mitchell dba Astrology by Gia, 68 Holland St.

RESULT: APPROVED

- F. #193947 License/Permit Sign/Awning Permit, Pinkberry, 263 Elm St., Sign and blade sign.

RESULT: APPROVED

- G. #193985 Order By Ald. Heuston That the Superintendent of Inspectional Services inspect Alewife Automotive, at 395 Alewife Brook Parkway, and determine whether or not vehicles are being stored at Dilboy Stadium, and report his findings to the Committee on Licenses and Permits.

RESULT: APPROVED

FOLLOWUP: Licenses and Permits Committee

28. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. #193986 Report of the Committee on Public Health and Public Safety, meeting on Committee Report November 19, 2012.

RESULT: APPROVED

- B. #192100 Resolution By Ald. White Jr., Heuston That this Board requests that the Administration update this Board on actions proposed and taken regarding the negative impact of activities, lighting, and noise on the quality of life in the neighborhoods abutting Conway Park and the Skating Rink.

RESULT: WORK COMPLETED

- C. #192180 Resolution By Ald. White Jr. That the Administration inform the Committee on Public Health and Safety when the parking plan for the skating rink is ready.

RESULT: WORK COMPLETED

- D. #192181 Order By Ald. White Jr.
That the Commissioner of Public Works submit a lighting plan for the skating rink to the Committee on Public Health and Safety.

RESULT: WORK COMPLETED

- E. #192433 Order By Ald. Gewirtz
That the Director of SPCD (ISD) inform this Board of the steps planned to ensure construction at Assembly Square is in keeping with the building codes, in light of the recent fire in Quincy at a development constructed by Avalon Bay.

RESULT: WORK COMPLETED

- F. #192589 Order By Ald. White Jr.
That the City Solicitor and Commissioner of Public Works appear before this Board's Committee on Public Health and Safety to discuss the city's application for a variance before the Architectural Access Board regarding 50 pedestrian facilities #V11-201.

RESULT: WORK COMPLETED

- G. #193650 Order By Ald. Gewirtz, White Jr.
That the Commissioner of Public Works create curb cuts on the western side of the intersection of Willow Avenue and Beech Street, heading up Willow Avenue, and that the Director of Traffic and Parking evaluate the sight lines on Beech Street, at the crosswalk at Elm Street, and that this matter be referred for a full vetting by the Committee on Public Health and Safety.

RESULT: WORK COMPLETED

- H. #193765 Resolution By Ald. Heuston
That this Board requests that the Administration provide information regarding the noise-reduction installation schedule at the new Conway Park skating rink, and review the parking restrictions behind the building.

RESULT: WORK COMPLETED

- I. #193886 Order By Ald. White Jr.
That the Commissioner of Public Works appear before the Committee on Public Health and Safety to speak on baiting requirements for street openings.

RESULT: WORK COMPLETED

- J. #193987 Order By Ald. White Jr.
That the Director of Traffic and Parking investigate the legality of the crosswalks at Willow Avenue, Elm Street and Beech Street.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

- K. #193988 Order By Ald. Roche
That the City Solicitor determine whether provisions are included in the city's street openings ordinance for baiting for rodent control, and if not, draft an amendment to the ordinance to include such a provision.

RESULT: APPROVED

29. SENIOR SERVICES COMMITTEE

- A. #193989 Report of the Committee on Senior Services, meeting on November 13, Committee Report 2012.

RESULT: APPROVED

COMMUNICATIONS OF THE MAYOR

30. #193990 Mayor's Request Requesting the appropriation of \$1,627,487 in Parking Meter Receipts to reduce the FY2013 Tax Levy.

RESULT: APPROVED

31. #193991 Mayor's Request Requesting an appropriation of \$660,000 from the Overlay Surplus to reduce the FY2013 Tax Levy.

RESULT: APPROVED

32. #193992 Mayor's Request Requesting a supplemental appropriation of \$967,097 to the Salary Contingency -Salaries Account as part of the FY2013 General Fund Operating Budget.

RESULT: APPROVED

33. #193993 Mayor's Request Requesting a Supplemental Appropriation of \$538,325 to the FY2013 General Fund Debt Service Budget to pay District Improvement Financing District debt service costs.

RESULT: APPROVED

COMMUNICATIONS OF CITY OFFICERS

NEW BUSINESS

34. #193994 License/Permit Renewing Garage License, Webster Auto Body, 64 Webster Ave.

RESULT: APPROVED

35. #193995 License/Permit Renewing Garage License, Service Auto Body, 69 Webster Ave.

RESULT: APPROVED

36. #193996 License/Permit Renewing Used Car Dealers License Class 3, Ed's Used Auto Parts, 516 Columbia St.

RESULT: APPROVED

37. #193997 License/Permit Renewing Used Car Dealers License Class 2, United Motors, 188 Broadway.

RESULT: APPROVED

38. #193998 License/Permit Renewing Used Car Dealers License Class 2, A&E Auto Repair, 13 Joy St.

RESULT: APPROVED

39. #193999 License/Permit Renewing Used Car Dealers License Class 2, Master Used Cars, 121 Prospect St.

RESULT: APPROVED

40. #194000 License/Permit Renewing Used Car Dealers License Class 2, Executive Auto Leasing and Sales, 30 Medford St.

RESULT: APPROVED

41. #194001 License/Permit Renewing Used Car Dealers License Class 2, Somerville Avenue Motors, 595 Somerville Ave.

RESULT: APPROVED

42. #194002 License/Permit Renewing Used Car Dealers License Class 2, American Auto Gallery, 682 Mystic Ave.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

43. #194003 License/Permit New Used Car Dealers License Class 2, City Auto Sales, 463 McGrath Hwy., No cars inside, 30 cars outside, Open Mon-Sat 8-8, Sun 10-6.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

44. #194004 License/Permit New Livery License, Sharma Limousine Services, 17 Lake St., 1 auto.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

SUPPLEMENTAL ITEMS

45. #194005 Resolution By Ald. Trane, and the Entire Board and the Mayor
That this Board hereby remembers Tom Cremens, former Somervillian and High School Football Captain, whose sudden passing last year does not diminish his lasting example of leadership, teamwork, and character.

RESULT: APPROVED

46. #194006 Order By Ald. Heuston
That the Commissioner of Public Works trim and clear branches from the trees at 447 Rossmore Street.

RESULT: APPROVED

47. #194007 Order By Ald. Heuston
That the Director of Constituent Services provide the history and dates of resolution of calls to 311 for trees and fallen branches on Rossmore Street.

RESULT: APPROVED

FOLLOWUP: Information Technology Committee

48. #194008 Order By Ald. Connolly, Gewirtz
That the Director of Traffic and Parking post a NO PARKING sign at the intersection of Hall and College Avenues, so vehicles exiting Hall Avenue will not have their vision blocked by parked vehicles.

RESULT: APPROVED

49. #194009 Mayor's Request Requesting the acceptance of a \$3,000 donation from The Somerville Foundation for Animals, for the Animal Control Revolving Fund.

RESULT: APPROVED

50. #194010 Mayor's Request Requesting the appointment of Sandra Oliveira to the Commission for Women.

RESULT: APPROVED

51. #194011 Requesting the appointment of Rachelle Snyder to the Commission for
Mayor's Request Women.

RESULT: APPROVED

52. #194012 Requesting the appointment of Keri Rodriguez Lorenzo to the Commission
Mayor's Request for Women.

RESULT: APPROVED

53. #194013 Requesting the appointment of Daisy Monsalvetata to the Commission for
Mayor's Request Women.

RESULT: APPROVED

54. #194014 Requesting the appointment of Marlena Erdos to the Commission for
Mayor's Request Women.

RESULT: APPROVED

55. #194015 Requesting the appointment of Melissa Alfone to the Commission for
Mayor's Request Women.

RESULT: APPROVED

56. #194016 Requesting the appointment of Emily Biberger to the Commission for
Mayor's Request Women.

RESULT: APPROVED

57. #194017 Requesting the appointment of Wilfred Nwanjo Mbah to the Muticultural
Mayor's Request Affairs Commission.

RESULT: APPROVED

58. #194018 Requesting the appointment of Biswa Sapkota to the Human Rights
Mayor's Request Commission.

RESULT: APPROVED

59. #194019 Mayor's Request Requesting the appointment of Dan McConvey to the Human Rights Commission.

RESULT: APPROVED

60. #194020 Officer's Communication Director of Traffic and Parking responding to #193915 re: a crosswalk at Somerville Avenue and Spring Street, and #193916 re: resident parking at Spring Hill Terrace.

RESULT: PLACED ON FILE

LATE ITEMS

61. #194021 Resolution By Ald. The Entire Board, and the Mayor That this Board hereby designates Eugene Brune as Mayor Emeritus for the City of Somerville.

RESULT: APPROVED

62. #194022 License/Permit Public Event Permit, Term Productions Filming "Terminales," Davis Sq.: Elm St., Day St. Lot, Grove St. Lot, Nov 27-29, 5AM-10PM.

RESULT: APPROVED

63. #194023 License/Permit Public Event Permit, Bradley Manning Square Vigil, Davis Sq. Statue Park, Dec 5,12,19,26, 4-5:10PM.

RESULT: APPROVED

64. #194024 License/Permit Renewing Used Car Dealers License Class 2, Tech Auto Body, 9 Union Sq.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

65. #194025 Renewing Used Car Dealers License Class 2, Mystic Auto Sales and
License/Permit Service, 712 Mystic Ave.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk