

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

REGULAR MEETING AGENDA

July 11, 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 Special Meeting, June 4, 2013, and the Regular Meeting, June 13, 2013.

CITATIONS

PUBLIC HEARINGS

3. Grant of Location Grant of Location submitted by Norfolk Ram Group to install 2 monitoring wells in Beacon Street and 1 monitoring well in Park Street, all near 81 Park Street.

4. Grant of Location Grant of Location submitted by Lighttower Fiber Network to install 11 feet of conduit in Holland St, from a Level 3 duct bank to 40 Holland St., to provide service to 40 Holland St.

5. Grant of Location Grant of Location submitted by Lighttower Fiber Network to install 139 feet of conduit in Crocker St, from a manhole to a pole, to provide service to 230 Highland Ave.

6. Grant of Location Grant of Location submitted by Lighttower Fiber Network to install 54 feet of conduit in Walnut St, from a manhole to a pole at Highland Ave., to provide service to both 81 and 230 Highland Ave.

7. Grant of Location Grant of Location submitted by Lighttower Fiber Network to install 137 feet of conduit in School St, from a manhole to a point of pickup at 93 Highland Ave., to provide service to 81 Highland Ave.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

8. Order By Ald. Bastardi

 That the Director of Traffic and Parking direct PCOs to patrol the fire lanes on Pinckney Street (near Pinckney Place) for violations.

9. Order By Ald. Bastardi
That the Director of SPCD (ISD) address safety concerns at 24 Cross Street East, and ensure that all entrances are secure.
10. Order By Ald. Bastardi
That the Director of SPCD (ISD) and the Director of Health inspect 39 Pinckney Street and all abutting properties for rat infestation and the death of two pets due to rat poison.
11. Order By Ald. Bastardi
That the Commissioner of Public Works repair the uplifted sidewalk at 60 Pearl Street.
12. Order By Ald. Bastardi
That the Commissioner of Public Works repair the street light at 34 Franklin Street.
13. Ordinance By Ald. Taylor, White Jr., Sullivan
That the Zoning Ordinance is hereby amended by changing all CCD 55 zoning districts in Ward 3 to CCD 45.
14. Order By Ald. Taylor
That the Chief of Police place a speed board on Central Street between Somerville Avenue and Summer Street near the Greek Orthodox Church.
15. Order By Ald. Heuston
That the Director of Public Health and the Director of SPCD (ISD) inspect the Shaw's at 275 Beacon Street and report back to this Board on its findings and actions taken.
16. Order By Ald. Heuston
That the Director of Traffic and Parking and the City Traffic Engineer meet with the Ward 2 Alderman concerning pedestrian and cyclist safety issues at the intersections of Oxford and Beacon Streets and Somerville Avenue and Beacon Street.
17. Order By Ald. O'Keefe
That the Commissioner of Public Works inspect the tree at 110 Bartlett Street and have it removed if deemed diseased or dead.

18. Resolution By Ald. O'Keefe
That the Traffic Commission consider eliminating parking spots alongside Trum Field, on Cedar Street towards Franey Road, to allow residents to access their driveways.
19. Order By Ald. O'Keefe
That the Director of Traffic and Parking and the Traffic Engineer work with the Ward 5 Alderman to make exiting side streets onto Medford Street safer.
20. 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.
21. 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.
22. Order By Ald. Gewirtz
That the Director of SPCD (ISD) bait Walker Street for rodents and distribute literature about the proper way to store trash and compost bins.
23. Order By Ald. Gewirtz
That the Commissioner of Public Works provide this Board with a complete list of new street trees planted in the city this year and how many were planted to replace trees that have been removed without a hearing.
24. Order By Ald. Gewirtz
That the Director of Sustainability and Environment provide this Board with a plan for city-wide residential composting, to be discussed in the Committee on Legislative Matters.
25. Ordinance By Ald. Lafuente, Sullivan, White Jr.
That the Zoning Ordinance is hereby amended by changing all CCD45 and CCD55 zoning districts in Ward 4 to RC zoning districts.
26. Order By Ald. Lafuente
That the Director of SPCD appear before this Board to provide an update on the status of the Union Square renewal plan and any transactions that have taken place.

27. 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.
28. Order By Ald. Sullivan, Bastardi
That the Director of SPCD (ISD) and the Director of Public Health utilize all means possible to combat the rodent infestation in the Florence Street neighborhood.
29. Order By Ald. Sullivan, White Jr., Lafuente, Connolly, Desmond
That the Director of SPCD (ISD) review the rodent control plan for the construction of the Shore Drive pedestrian bridge which will access Assembly Square.
30. Order By Ald. Sullivan, White Jr., Lafuente, Connolly, Desmond
That the Commissioner of Public Works repair the street light at the corner of Shore Drive and Ten Hills Road.
31. Order By Ald. Sullivan
That the Chief of Police explain the street closure plan associated with Boston's July 4th fireworks celebration.
32. 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.
33. Order By Ald. Connolly, Gewirtz
That the Commissioner of Public Works replace the missing bricks on the sidewalk at College and Highland Avenues, outside of the bank entrance.
34. Order By Ald. Connolly, Gewirtz
That the Commissioner of Public Works trim all the trees butting up against the homes on Winslow Avenue, from Clifton Street to College Avenue.
35. Communication By Ald. White Jr.
Acting as President, cancelling the Regular meetings of this Board that were scheduled for July 25, 2013, and August 8, 2013.

UNFINISHED BUSINESS

36. Resolution By Ald. Gewirtz, and the Entire Board
That the Administration update this Board on any potential impacts of the proposed casino in Everett, and on efforts to mitigate those impacts and oppose the project.

REPORTS OF COMMITTEES

37. CONFIRMATION OF APPOINTMENTS COMMITTEE

- A. Committee Report Report of the Committee on Confirmation of Appointments, meeting on July 11, 2013.

38. FINANCE COMMITTEE

- A. Committee Report Report of the Committee on Finance, meeting on July 11, 2013.

39. FLOOD FORUM SPECIAL COMMITTEE

- A. Committee Report Report of the Flood Forum Special Committee, meeting on July 10, 2013.
- B. Order By Ald. Heuston
That the Commissioner of Public Works conduct a study of Dane Avenue to determine causes of excessive flooding during rain events.
- C. Order By Ald. Heuston, Desmond, Connolly
That the Commissioner of Public Works deploy street sweepers to Dane Avenue, Kingman Road and Clark Street immediately after a flood, and restrict access to abutters only until the water recedes.
- D. Order By Ald. Connolly, Heuston, Desmond
That the Director of Communications implement a plan for regular communications, including CTY-Connect, email, and direct mail, with residents in the affected areas of Ward 2 regarding anticipated floods, as well as updates on projects and plans for infrastructure improvements.
- E. Resolution By Ald. Heuston, Desmond, Connolly
That the Administration create a fund for mitigation for residents of Dane Avenue, Kingman Road and Clark Street, to include the purchase and installation of backflow preventers.

- F. Order By Ald. Heuston, Desmond, Connolly
That the City Engineer and the Commissioner of Public Works inspect the catch basins at and across the street from 15 Dane Avenue for reports of running water.
- G. Order By Ald. Desmond, Heuston, Connolly
That the City Engineer contact Congressman Capuano to request information regarding federal assistance for the residents of Dane Avenue, Kingman Road and Clark Street who have been affected by flooding issues.

40. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- A. Committee Report Report of the Committee on Housing and Community Development, meeting on July 1, 2013.
- B. Order By Ald. Heuston, Taylor
That the Commissioner of Public Works provide an update on the Somerville Avenue reconstruction project and the City's acceptance of it, including the restrictions the City is under regarding traffic, parking and streetscape changes because the project is incomplete and still under State jurisdiction.
- C. Order By Ald. Heuston
That the Director of SPCD provide this Board with the status of the lots on South Street and plans for an alternate location for an off leash dog park in Ward 2.
- D. Order By Ald. Gewirtz
That the Director of SPCD and the Historic Preservation Commission report on the status of the accessibility study for the West Branch Library.
- E. Order By Ald. White Jr.
That the Director of SPCD provide the information requested herein regarding the purchase of real estate by the Redevelopment Authority.
- F. Order By Ald. White Jr.
That prior to purchasing any future property by the Redevelopment Authority, the Director of SPCD notify this Board of such purchases and the anticipated funding for such purposes.

- G. Order By Ald. White Jr.
That the Director of SPCD appear before the Committee on Housing and Community Development to discuss any funds paid, or anticipated to be paid, through the Redevelopment Authority to Federal Realty Investment Trust.
- H. Order By Ald. White Jr.
That the Director of SPCD provide this Board with the final agreement with FRIT pertaining to the disposition of Yard 21 and inform this Board whether any covenants with IKEA or FRIT apply to future purchasers of the IKEA site at Assembly Square.
- I. Order By Ald. Heuston, Taylor, White Jr., O'Donovan, Lafuente, Connolly
That the Commissioner of Public Works inform this Board whether Somerville Avenue has been turned over to the City by the State, and, if reconstruction is still incomplete, what actions are being taken to resolve any outstanding issues.
- J. Officer's Communication SPCD Special Counsel responding to #193060 re: the purchase of real estate by the Redevelopment Authority.
- K. Resolution By Ald. White Jr., Gewirtz
That the Director of SPCD work with this Board to establish recommended guidelines to submit to the Licensing Commission to assist it in deciding applications for the new liquor licenses.
- L. Resolution By Ald. Bastardi
That the Administration advise the Ward 1 Alderman of the status of this Board's 2010 resolution, binding Federal Realty Investment Trust to ensuring all retail tenants of Assembly Square adhere to a local hiring ordinance via a written contract.
- M. Order By Ald. Sullivan
That the City notify abutters of the community garden path, behind the Somerville Avenue Rite-Aid Pharmacy, of potential contamination problems.
- N. Order By Ald. Lafuente
That further applications for liquor licenses at Assembly Square be brought to the attention of the Committee on Housing and Community Development.

41. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- A. Committee Report Report of the Committee on Housing and Community Development, meeting on July 10, 2013.
- B. Mayor's Request Requesting approval of the 2013-2017 HUD Five Year Consolidated Plan and the 2013-2014 HUD One Year Action Plan for CDBG, HOME, and ESG programming

42. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, meeting on July 9, 2013.

43. LICENSES AND PERMITS COMMITTEE

- A. Committee Report Report of the Committee on Licenses and Permits, meeting on July 10, 2013.
- B. License/Permit Renewing Outdoor Seating License, Diva Indian Bistro, 246 Elm St.
- C. Order By Ald. Trane, Sullivan
That the Director of SPCD (ISD) appear before this Board's Committee on Licenses and Permits to explain enforcement of the city's sign ordinance.
- D. License/Permit New Fortuneteller License, Psychic Readings by Mary, 382 Somerville Ave.
- E. License/Permit Renewing and Amending Extended Operating Hours License, Chow N Joy, 626C Somerville Ave., Extending Sun-Thu to 2 AM, Fri-Sat to 3 AM.
- F. License/Permit Sign/Awning Permit, Dental Arts Associates, 396 Highland Ave., 3 signs.
- G. License/Permit Renewing Extended Operating Hours License, Target, 180 Somerville Ave., Opening 1AM to 11PM on "Black Friday," 11/29.
- H. Order By Ald. Heuston
That the Director of SPCD (ISD) craft a sign ordinance to address various sign issues throughout the city.

44. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

- A. Committee Report Report of the Committee on Public Utilities and Public Works, meeting on July 2, 2013.

- B. Mayor's Communication Conveying the Final Inspectional Services Division Organizational Review.
- C. Order By Ald. Heuston
That the Commissioner of Public Works contact the appropriate utilities to address the overloaded and low hanging wires at Somerville Avenue at Kent Street, Somerville Avenue at Linden Street, and along Tyler Street.
- D. Order By Ald. O'Donovan
That the Director of SPCD report back to the Ward 5 Alderman regarding noise created by the retaining wall along the railroad tracks at the former MaxPak site.
- E. Order By Ald. O'Donovan, Gewirtz
That the Commissioner of Public Work and the Director of SPCD report to this Board regarding re-surfacing and drainage measures on the developed community path.
- F. Order By Ald. Bastardi
That the City Clerk request our state delegation to contact the MA Highway Dept. to increase pedestrian lighting under I-93, outside the Sullivan Sq. T Station.
- G. Officer's Communication Director of Traffic and Parking responding to various Board Orders.
- H. Order By Ald. Connolly
That the Director of SPCD (Transportation and Infrastructure) contact the MBTA and the State Delegation to eradicate all graffiti on the retaining wall between the railroad tracks and the Lowell Street bridge, and report any corrective actions to this Board's Committee on Public Utilities and Works.
- I. Order By Ald. Connolly
That the Director of SPCD (Transportation and Infrastructure) contact the MBTA and the State Delegation to remedy the problems with the fence at the end of Nashua Street, and report any suggested remedies from the MBTA to this Board's Committee on Public Utilities and Works within 30 days.
- J. Public Communication MA DOT responding to #194058 re: Pedestrian lighting under Rt 93 at Sullivan Square.

- K. Order By Ald. Sullivan, Taylor
That the Commissioner of Public Works resurface the dog park at Nunziato Field with a more durable material.
- L. Officer's Communication DPW Commissioner responding to various Board Orders.
- M. Resolution By Ald. Trane
That the Administration appear before this Board to explain the current leadership and organizational chart of the Inspectional Services Dept.
- N. Order By Ald. Lafuente, White Jr., Sullivan, and the Entire Board
That the Director of SPCD, the Superintendent of Inspectional Services and the Director of Planning appear before this Board regarding the Inspectional Services/Building Dept.'s granting of permits in a consistent, professional and timely manner.
- O. Officer's Communication Commissioner of Public Works responding to various Board Orders submitted this evening.
- P. Order By Ald. Bastardi
That the Commissioner of Public Works (arborist) check all trees on Auburn Avenue for infestation, and appear before this Board's Committee on Public Utilities and Works to describe the city's policies with regard to the placement of trees and the handling of diseased trees.
- Q. Order By Ald. O'Keefe
That the City Clerk send a second communication to the State Delegation, requesting them to contact the MBTA to remove all graffiti from the retaining wall between the railroad tracks and the Lowell Street bridge.
- R. Order By Ald. Bastardi
That the Commissioner of Public Works provide the Ward 1 Alderman with a prioritized re-pavement plan.
- S. Order By Ald. O'Keefe
That the Commissioner of Public Works repair the fence at the end of Nashua Street.

45. VETERANS AND PUBLIC SERVICES COMMITTEE

- A. Committee Report Report of the Committee on Veterans and Public Service, meeting on July 2, 2013.
- B. Resolution By Ald. Connolly, Taylor, Desmond, White Jr., Sullivan
That this Board requests that the Dedication Committee consider naming a street corner on Walnut Street in memory of the late Ted Buttner, USN retired and World War II veteran.
- C. Resolution By Ald. Connolly, Desmond, Sullivan, White Jr., and the Entire Board
That the City place an "empty chair" in City Hall as a reminder to never forget our nation's POW/MIA military personnel.
- D. Order By Ald. O'Keefe
That the Director of Veterans Services replace the faded pictures at Henry Hanson Park.
- E. Resolution By Ald. O'Keefe, Bastardi
That the Administration update this Board on the status of #194667, regarding the placement of an empty chair in City Hall to remind the public of the sacrifices made by our service men and women and their families, and that the Administration schedule an unveiling ceremony to commemorate its inclusion in City Hall.

COMMUNICATIONS OF THE MAYOR

46. Mayor's Request Requesting that this Board convene in Executive Session for an update on negotiations with Comcast to renew the cable telecom license.
47. Mayor's Request Requesting an amendment to the Zoning Ordinance to add a new Section 6.6: North Point Special District, modify Section 5.4: Design and Site Plan Review, and make related modifications to Sections 2, 3, 5, 6, 7, 8 and 17.
48. Mayor's Request Requesting approval to declare as Surplus certain IT Dept. Network Equipment.
49. Mayor's Request Requesting approval to declare as Surplus certain IT Dept. Telephony Equipment.
50. Mayor's Communication Conveying the Somerville Bicycle Committee's 2012 Annual Report.

COMMUNICATIONS OF CITY OFFICERS

NEW BUSINESS

- 51. License/Permit Public Event Permit, Pet Palooza, Grand Union Blvd., Aug 2-4, 8AM-8PM each day (event runs 10-5PM on Aug 3-4).
- 52. License/Permit Public Event Permit, Shannon Grant Basketball Tournament, Trum Field, Aug 3, 8-4PM.
- 53. License/Permit Public Event Permit, Somerville Road Runners 5K Race to the Row, Assembly Sq., Aug 18, 7-5PM.
- 54. License/Permit Public Event Permit, Garden Club Plant Sale, Davis Sq. Statue Park, Sep 21, 6-2PM (raindate Sep 28).
- 55. License/Permit Renewing Drainlayer's License, Baystate Engineering.
- 56. License/Permit Renewing Garage License, Teddy's Foreign Motors, 68 Joy St.
- 57. License/Permit Sign/Awning Permit, Comcast of MA/NH LLC, 116 Beacon St., 2 signs.
- 58. License/Permit Sign/Awning Permit, The Kirkland Tap and Trotter, 425 Washington St., 1 blade sign.
- 59. License/Permit Sign/Awning Permit, Spoke Wine Bar, 89 Holland St., 1 hanging sign.
- 60. License/Permit New Hawker Peddler, Timothy Robertson, selling books.
- 61. Public Communication David Dahlbacka submitting comments re: #194060, a zoning amendment to permit a larger ground-floor supermarket at Assembly Square.

SUPPLEMENTAL ITEMS

- 62. Order By Ald. Heuston
That the Director of Traffic and Parking reverse the one way direction of traffic on Village Street to mitigate the effects of increased traffic due to the addition of residential units.
- 63. Mayor's Request Requesting an appropriation of \$120,000 and authorization to borrow that amount in a bond for the renovation of the Highland Avenue Fire Station, Engine #7.
- 64. Mayor's Request Requesting the acceptance of a grant of \$362,175 from the Department of Energy Resources for Clean Energy projects.

- 65. Mayor's Request Requesting approval to execute a five year lease agreement for the Grove Street Parking Lot.
- 66. Mayor's Request Requesting an extension of a Contract with FW Russell & Sons for solid waste pickup and hauling.
- 67. Mayor's Communication Conveying the city's Neighborhood Street Reconstruction Program.
- 68. Officer's Communication Director of Traffic and Parking responding to various Board Orders.
- 69. License/Permit Public Event Permit, MA Organization for Addiction Recovery Motorcycle Ride for Recovery Registration, High School Concourse, Aug 24, 9AM-Noon (raindate 8-25).
- 70. License/Permit Public Event Permit, MGH 5K Run for Rhythm, Davis Square and area streets, Sep 15, 8-2PM.
- 71. License/Permit Renewing Lodging House License, Delta Tau Delta Foundation, 98 Professors Row.
- 72. License/Permit Sign/Awning Permit, Sarma Restaurant, 249 Pearl St., 1 sign.
- 73. Public Communication Fred Berman submitting comments re: #194060, a zoning amendment to permit a larger ground-floor supermarket at Assembly Square.

LATE ITEMS

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk