

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

REGULAR MEETING AGENDA

November 23, 2010, 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,
October 28, 2010.

CITATIONS

PUBLIC HEARINGS

3. Officer's Request Chief Assessor Presenting a Classification Hearing Report and Requesting Approval of a Minimum Residential Factor of 86.4448, a Residential Exemption of 30% of Average Assessed Value, and an Additional Statutory Exemption of Up to 100% for FY 2011.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

4. Order By Ald. Pero

That the City Clerk request that the State Delegation contact the MBTA to secure a bus route from the Winter Hill section of Broadway to either Harvard Square or Kendall Square.

5. Order By Ald. Roche

That the Chief of Police inform This Board If the Mayor's public statement of the city's support of all immigrants includes eliminating the SPD's General Order 2009-11, which states in part that notification of the Immigration and Customs Enforcement Agency will only be authorized if a non-resident is arrested for murder, sexual Offenses, narcotics trafficking, or other serious offenses.

6. Order By Ald. Roche

That the Director of SPCD schedule with the Ward 1 Alderman a neighborhood meeting on Harris Park, to include a definitive timeline for building a new Harris Park Playground.

7. Order By Ald. Roche
That the Commissioner of Public Works include the Ward One Alderman on the plan for street restoration for the Spring of 2011.
8. Order By Ald. Roche
That the Commissioner of Public Works include the trees at the Senior Center and the East Branch Library when installing the holiday lights and decorations along Broadway in Ward One.
9. Order By Ald. Roche
That the Commissioner of Public Works advise this Board as to why the Off Leash Recreation Area at Nunziato Field has been locked after 8:00 AM on several mornings over the past month.
10. Order By Ald. Trane
That the Commissioner of Public Works repair the sidewalk at 10 Raymond Avenue.
11. Order By Ald. Trane
That the Commissioner of Public Works inspect the sidewalks on Corinthian Road and make repairs where necessary.
12. Order By Ald. O'Donovan
That the Commissioner of Public Works install a second DO NOT BLOCK INTERSECTION sign at the intersection of Hinckley Street and Broadway .
13. Order By Ald. O'Donovan
That the Director of Traffic and Parking appear before the Committee on Public Health and Public Safety to discuss speeding on the south side of the Lowell Street Bridge.
14. Order By Ald. O'Donovan
That the Director of Traffic and Parking install traffic calming measures on all "urban connector" roadways in an attempt to slow the speed of vehicles.
15. Order By Ald. O'Donovan
That the Chief of Police implement speed traps on Central, Lowell and Cedar Streets.

16. Order By Ald. Heuston
That the Director of Traffic and Parking install signage at the intersections of Skehan and Dane Streets and Village and Dane Streets prohibiting traffic, except to abutters Between 7-9AM and 4-7PM daily.
17. Order By Ald. Heuston
That the Director of Traffic and Parking install signage prohibiting truck traffic at the intersections of Concord Avenue and Beacon Street, Newton Street and Webster Avenue and Properzi Way and Elliot Street.
18. Order By Ald. Heuston
That the Commissioner of Public Works determine the feasibility of installing additional lighting in Union Square, especially on Washington Street at the Central Parking Lot and the back of the SCAT Building.
19. Order By Ald. Heuston
That the Commissioner of Public Works contact NSTAR to ensure that all lighting in the center of Union Square is functional and satisfactory for a major CBD with significant night time activity.
20. Order By Ald. Heuston
That the Commissioner of Public Works install a decorative pedestrian light pole on the large center island in Union Square and communicate a time table for the final landscaping for that island as well as the adjacent smaller traffic islands.
21. Order By Ald. Heuston
That the Commissioner of Public Works evaluate the street sweeping schedule for Hammond and Dickinson Streets trash pick up route to determine if it can be changed to prevent problems of inadequate street sweeping which has plagued the neighborhood for several years.
22. Order By Ald. Heuston
That the Director of Traffic and Parking coordinate PCO presence on street sweeping days on Hammond and Dickinson Street to ensure that ticketing is in conjunction with posted times for street sweeping.

23. Order By Ald. Heuston
That the Chief of Police provide the Ward 2 Alderman with support to conduct neighborhood watch training sessions for Ward 2 residents, to be scheduled no later than December 15, 2010 and repeated in January and February of 2011.
24. Order By Ald. Heuston
That the Director of Traffic and Parking evaluate the STOP sign at the intersection of Hammond and Dickinson Streets to determine if the line of sight is sufficient or if additional signage is necessary.
25. Order By Ald. Desmond, Taylor
That the Chief of Police order a directed patrol at the corner of Spring and Pitman Streets to stop vehicles traveling in the wrong direction up Spring Street from Somerville Avenue.
26. Order By Ald. Desmond, Taylor
That the Director of SPCD (ISD) direct the owner of the Pitman Street lot previously owned by Street Wise Auto to remove the tires stacked in the corner of the lot.
27. Order By Ald. Desmond, Gewirtz
That the Commissioner of Public Works clear the brush and clean the corner of Hancock and Elm Streets.
28. Order By Ald. Desmond, Taylor, Heuston
That the City Solicitor contact NSTAR Electric to insist that they honor their commitment to re-pave Bow Street, as their work under that street has been completed.
29. Order By Ald. Desmond, O'Donovan
That the Director of SPCD (ISD) order the CVS in Magoun Square to remove the oversized dumpster in the rear of The building that is occupying parking spaces, repair the unsightly fences surrounding the two smaller dumpsters, and clear all palettes and other materials from the side of the building.
30. Order By Ald. Desmond, O'Donovan
That the Commissioner of Public Works repair the street lights for the parking lot off Sartwell Avenue, in the rear of the Kennedy School.

31. Order By Ald. Gewirtz
That the Commissioner of Public Works inspect the new chain link fence around the recently installed bike racks at the MBTA station on the Holland Street side in Davis Square and report whether the fence is necessary.
32. Order By Ald. Gewirtz
That the Director of Traffic and Parking explore the possibility of limiting or removing certain traffic lights in Davis Square to facilitate the easing of traffic gridlock, especially with respect to the congestion on College Avenue to Powderhouse rotary.
33. Order By Ald. Gewirtz
That the Chief of Police recommend to this Board, specific places on the community path where more lighting could be added.
34. Resolution By Ald. Gewirtz
That This Board requests that the Administration, in conjunction with this Board, work with the organizers of Midnight Madness in Davis Square to ensure that as many people as possible know about it, to make it a success.

UNFINISHED BUSINESS

35. Mayor's Request Requesting the appointment of Thomas Pasquarello to the position of Chief of Police.

REPORTS OF COMMITTEES

36. FINANCE COMMITTEE, NOVEMBER 22, 2010

- A. Committee Report Report of the Committee on Finance meeting on November 22, 2010
- B. Mayor's Request Requesting the creation of the Alpine Restaurant Stabilization Fund and acceptance of a mitigation payment to the Fund of \$2,500 from the Alpine Restaurant Group for pedestrian and bicycle safety measures.
- C. Resolution By Ald. Taylor
That this Board requests that the Administration provide an update on the establishment of the Bicycle Safety Committee.

37. LEGISLATIVE MATTERS COMMITTEE, NOVEMBER 16, 2010

- A. Committee Report Report of the Committee on Legislative Matters meeting on November 16, 2010

38. LEGISLATIVE MATTERS COMMITTEE, NOVEMBER 17, 2010

- A. Committee Report Report of the Committee on Legislative Matters meeting on November 17, 2010
- B. Order By Ald. Connolly
That the Director of SPCD meet with representatives from Federal Realty Investment Trust and the utility companies involved in Assembly Square on the Stretch Energy Code, and report back to the Committee on Legislative Matters on or before February 1, 2011.
- C. Order By Ald. Desmond
That the Director of SPCD consult an independent architectural firm in Boston that has expertise in building projects with the Stretch Energy Code and report back to the Committee on Legislative Matters with any recommendations.

39. LICENSES AND PERMITS COMMITTEE, NOVEMBER 17, 2010

- A. Committee Report Report of the Committee on Licenses and Permits meeting on November 17, 2010
- B. License/Permit New Extended Operating Hours License, Papa John's Pizza, 622 Somerville Ave., operating to 2AM Sun-Thu and to 3AM Fri-Sa.
- C. License/Permit New Garage License, Teele Sq. Auto, 1284 Broadway, Mechanical repairs and storing vehicles, 3 autos inside, 8 outside.
- D. License/Permit Sign Permit, Cristo's 7 Star Pizza, 233 Elm St., Signs and awning.
- E. License/Permit New Hawker Peddler License, Variedades Edgar, Perfumes, T shirts, Misc. goods.
- F. License/Permit Sign/Awning Permit, Diva Indian Bistro and Lounge, 246 Elm St.,
- G. License/Permit Renewing Garage License, Somerville Auto Transport Service, 495 Columbia St., 12 autos.

- H. License/Permit Renewing Garage License, Somerville Auto Center, 193 Somerville Ave., 16 autos inside.
- I. License/Permit Sign License, Sally O'Briens, 335 Somerville Ave., 1 awning.

40. PARKS AND OPEN SPACE SPECIAL COMMITTEE, NOVEMBER 22, 2010

- A. Committee Report Report of the Committee on Parks and Open Space meeting on November 22, 2010
- B. Board Communication By Ald. Heuston
That the Executive Director of the Office of Strategic Planning and Community Development Make Recommendations to This Board Regarding Ways in Which the City Can Control and Reduce the Percentage of Paved Surfaces Since Somerville Leads the Region with 77% of Its Surfaces Being Paved.
- C. Board Communication By Ald. Heuston
That the City Solicitor Summarize What is in the Zoning Code and Code of Ordinances that Limits, Controls or Restricts Paved Surfaces on Private Property in the City and Report the Findings to the Committee on Parks and Open Space.
- D. Order By Ald. Heuston
That the Director of SPCD Submit the HUD Letter Regarding CDBG Eligibility of the Proposed West Somerville Dog Park, to the Committee on Parks and Open Space for Review Before Sending the Letter.
- E. Order By Ald. O'Donovan
That the Director of SPCD appear before this Board to report on the delay of the development of the community path from Cedar Street to the Lowell Street bridge. (3rd request).
- F. Order By Ald. Heuston
That the Clerk of Committees send communications to the City's Environmental Programs Manager and to the Commissioner of Public Works regarding the composting initiative at South Street and request that they apprise the Committee on Parks and Open Space of its progress.

- G. Order By Ald. Gewirtz
That the Director of SPCD and the Commissioner of Public Works collaborate to determine the feasibility of providing a less expensive Green Roof fee to residents and report back to the Committee on Parks and Open Space.
- H. Resolution By Ald. O'Donovan
That this Board requests that the Planning Board forward the City of Lowell's paving ordinance, rules, and regulations to the City Solicitor for review.
- I. Order By Ald. O'Donovan
That the City Solicitor review the City of Lowell's paving ordinance, rules, and regulations and submit a similar ordinance at this Board's next meeting.

41. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE, NOVEMBER 18, 2010

- A. Committee Report Report of the Committee on Public Health and Public Safety meeting on November 18, 2010
- B. Order By Ald. Gewirtz, O'Donovan
That the Chief of Police update this Board on the robbery that occurred on the community path near Willow Avenue and what additional steps police are taking to secure the path, particularly after dark.
- C. Order By Ald. Desmond, O'Donovan, Connolly, Sullivan
That the Chief of Police order a directed patrol of Albion Park and Albion Street to observe and prevent any illegal drug activity, specifically the use and discarding of hypodermic needles and syringes.
- D. Order By Ald. Desmond, O'Donovan, the Entire Board
That the Director of Health work in conjunction with Somerville Cares About Prevention to contact all holders of off premise liquor licenses in the City of Somerville and request that they voluntarily remove all Four Loko alcoholic beverages from their shelves and commit to never stocking or selling the product in the future.
- E. Resolution By Ald. White Jr.
That This Board requests that funding be allocated in the next budget for the installation of additional lighting on the Bike Path.

COMMUNICATIONS OF THE MAYOR

- 42. Mayor's Request Requesting an amendment to the Senior Property Tax Work-Off Program by increasing the abatement amount, increasing the income limits determining eligibility, and expanding eligibility for those qualifying but physically unable to perform service.
- 43. Mayor's Request Requesting a transfer of \$15,341 from the Computer Equipment Acct. to the IT Capital Outlay Acct. to purchase a Voice Recorder System for the Police Dept.
- 44. Mayor's Communication Conveying the Final Inspectional Services Division Organizational Review.
- 45. Mayor's Communication Proclaiming, with the Board of Aldermen, November 23, 2010, to be Somerville-Gaeta Sister City Celebration Day.

COMMUNICATIONS OF CITY OFFICERS

- 46. Officer's Communication Traffic and Parking Director Responding to Various Board Orders.

NEW BUSINESS

- 47. License/Permit Public Event Permit, Midnight Madness DARBI-Zipcar Shopping Event, Davis Sq. Statue Park, 12/2, 3:30PM-Midnite.
- 48. License/Permit Taxi Medallion Refinancing, Odney Cab Inc., Med. #72.
- 49. License/Permit New Garage License, Union Sq. Gulf, 231 Washington St., Mechanical Repairs, Washing Vehicles, Storing Vehicles, 4 Autos Inside, 4 Outside.
- 50. License/Permit Renewing Garage License, Louis Frank Motorcars LLC, 99 Albion St. #1, Storing Unregistered Autos Only, 3 Autos Inside.
- 51. License/Permit Renewing Used Car Dealer Class 2 License, Motobidia LLC, 561 Windsor St., 0 Autos.
- 52. License/Permit Renewing Used Car Dealer Class 2 License, Unlimited Auto Body, 471 Somerville Ave., 10 Autos Outside.
- 53. License/Permit Renewing Used Car Dealer Class 2 License, 429 Corp., 109-111 Prospect St., 5 Autos.
- 54. License/Permit Renewing Used Car Dealer Class 2 License, Union Gulf Service, 231 Washington St., 6 Autos.

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- 55. License/Permit Renewing Used Car Dealer Class 2 License, County Auto Repair, 103 Washington St., 5 Autos.
 - 56. License/Permit Renewing Used Car Dealer Class 2 License 2010, County Auto Repair, 103 Washington St., 5 Autos.
 - 57. License/Permit Renewing Used Car Dealer Class 2 License, William Doucette Auto Sales, 325 Alewife Brook Pkwy., 2 Autos In, 30 Autos Out.
 - 58. License/Permit Renewing Used Car Dealer Class 2 License, Mystic Auto Sales and Service, 712 Mystic Ave., 10 Autos.
 - 59. License/Permit Renewing Used Car Dealer Class 2 License, Broadway Auto Sales, 525 Broadway, 11 autos outside.
 - 60. License/Permit Renewing Used Car Dealer Class 3 License, Nissenbaum's Auto Parts, 480 Columbia St.
 - 61. License/Permit Renewing Used Car Dealer Class 3 License, Nissenbaum's Auto Parts, 0 Windsor St.
 - 62. License/Permit Renewing Used Car Dealer Class 3 License, T.C. Auto Exchange, 176-178 Tremont St.
 - 63. License/Permit Renewing Used Car Dealer Class 3 License, Ed's Used Auto Parts, 516-518 Columbia St.
 - 64. Public Communication Somerville Dog Owner's Group Submitting Comments Re: Nunziato OLRA Being Locked at 8 AM.
 - 65. Public Communication Cristina Grossi Submitting Comments Re: Nunziato OLRA Being Locked at 8 AM.
 - 66. Public Communication Brian Davis Submitting Comments Re: Nunziato OLRA Being Locked at 8 AM.
 - 67. Public Communication Cynthia Hughes Submitting Comments Re: Nunziato OLRA Being Locked at 8 AM.
 - 68. Public Communication Mary Melchiskey Submitting Comments Re: Nunziato OLRA Being Locked at 8 AM.
 - 69. Public Communication Melissa McCue Submitting Comments Re: Nunziato OLRA Being Locked at 8 AM.
 - 70. Public Communication Lora Valante Submitting Comments Re: Nunziato OLRA Being Locked at 8 AM.

SUPPLEMENTAL ITEMS

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- 71. Mayor's Request Requesting an appropriation of \$33,185,258 and authorization to borrow up to \$33,185,258 in a bond for the cost of rehabilitation and renovation of the East Somerville Community School.
 - 72. Mayor's Request Requesting an appropriation of \$2,000,000 from the Rainy Day Stabilization Fund, to reduce the Fiscal Year 2011 Tax Levy.
 - 73. Mayor's Request Requesting an appropriation of \$2,500 from the Receipts Reserved for Appropriation-c148A, s5 Violations Acct., to reduce the Fiscal Year 2011 Tax Levy.
 - 74. Officer's Communication SPCD Director responding to #190136 re: entertainment facilities in RA Districts.
 - 75. Officer's Communication SPCD Director responding to #190135 re: liquor licenses.
 - 76. Officer's Communication SPCD Director responding to #190212 re: stormwater runoff regulations.
 - 77. Officer's Communication SPCD Director responding to #190142 re: 56 Bonair St.
 - 78. Officer's Communication SPCD Director responding to #189593 re: 97 Prospect St.
 - 79. Officer's Communication SPCD Director responding to #190060 re: jack hammering near Henry St.
 - 80. Officer's Communication SPCD Director responding to #189931 re: delivery trucks idling at the Republic Market.
 - 81. Officer's Communication SPCD Director responding to #189132 re: construction permits.
 - 82. Officer's Communication SPCD Director responding to #189145 re: 45 Webster Ave.
 - 83. License/Permit Public Event Permit, Somerville YMCA Swim Team Canning Drive, Citywide, Jan 2 (raindate Jan 23) and Mar 13 (raindate Mar 20).
 - 84. License/Permit Renewing Drainlayer's License, J.P. Vara Inc.
 - 85. License/Permit Renewing Garage License, Somerville Body Works, 42 Dana St., 10 Autos Inside, 2 Outside.
 - 86. License/Permit Renewing Used Car Dealer Class 2 License, Souza Brothers Foreign Car Service, 35-37 Prospect St., 21 Autos.

- 87. License/Permit Renewing Used Car Dealer Class 2 License, Master Used Cars, 121 Prospect St., 46 Autos.
- 88. License/Permit Renewing Used Car Dealer Class 2 License, Somerville Ave. Motors, 595 Somerville Ave., 18 Autos.
- 89. Public
Communication Rep. Capuano submitting comments re: #190134, a Resolution in support of the DREAM Act.
- 90. Public
Communication Somerville Residents for Sensible Development conveying a request to withdraw #'s 188681, 188682, 188683, 188684, 188685, 189093, 189084, and 189095 from further consideration.

LATE ITEMS

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk