

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

REGULAR MEETING AGENDA

December 8, 2016, 7:00 PM
Aldermanic Chambers

OPENING OF THE MEETING

1. Roll Call Call of the Roll.
 (ID # 15231)

2. Minutes Approval of the Minutes of the Regular Meeting,
 (ID # 15232) November 10, 2016.

CITATIONS

3. Citation By Ald. Ballantyne, Heuston, the Entire Board and the
 (ID # 15082) Mayor
 Commending the Dormition of the Virgin Mary Greek
 Orthodox Church, on the momentous occasion of its
 100th anniversary.

4. Citation By Ald. Connolly, the Entire Board and the Mayor
 (ID # 15233) Commending Robert Collins for the 12 years of
 dedicated service he has provided the City as Chief
 Labor Counsel.

5. Citation By the Entire Board
 (ID # 15234) Commending Alderman William A. White, Jr., for his
 distinguished service as President of this Board in 2016.

6. Citation By the Entire Board
 (ID # 15235) Commending Alderman Katjana Ballantyne for her
 distinguished service as Vice President of this Board in
 2016.

PUBLIC HEARINGS

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

7. Order By Ald. Rossetti
 (ID # 15198) That the City Solicitor draft a Home Rule Petition
 allowing residents who purchase a home from an
 absentee landlord the ability to claim residential tax
 exemption from the date of purchase.

8. Order (ID # 15199) By Ald. Rossetti
That the City Solicitor advise this Board of its ability to not allow absentee landlords the continued benefit of the residential tax exemption at the time of purchase from a residential tax exempt homeowner.
9. Communication (ID # 15197) By Ald. Rossetti
Reporting on the November 28, 2016 meeting of the High School Building Committee.
10. Order (ID # 15218) By Ald. Connolly, Sullivan, Rossetti, White Jr., Davis
That the City Clerk request that the MBTA remedy the broken street lamps on the Davis Square busway.
11. Order (ID # 15219) By Ald. Niedergang
That the Director of Traffic and Parking replace the broken pop-up Caution sign in the crosswalk at Central and Vernon Streets.
12. Order (ID # 15220) By Ald. Niedergang
That the Commissioner of Public Works cause the responsible utility companies to raise or move the low-hanging wires that cross Benton Road between numbers 75, 76 and 79. (second request)
13. Order (ID # 15221) By Ald. Niedergang
That the Chief Assessor report to this Board about past and planned outreach to make seniors, veterans and other qualified homeowners aware of exemptions and deferrals that could ease their property tax burden, along with numerical goals, for FY17 to FY20.
14. Order (ID # 15222) By Ald. Sullivan, McLaughlin, Connolly, Rossetti, White Jr.
That the Commissioner of Public Works repair the street light at 93 Flint Street.
15. Order (ID # 15223) By Ald. Sullivan, Lafuente, Connolly, Rossetti, White Jr.
That the Commissioner of Public Works repair the lock on the tot lot playground at Grimmons Park.
16. Communication (ID # 15236) By Ald. White Jr.
In his capacity as President, cancelling the Regular meeting of this Board that was scheduled for December 22, 2016.

UNFINISHED BUSINESS

- 17. Mayor's Request 202364 Submitting for approval the Green Line Extension Project Participation Agreement, and conveying 3 side letters.
- 18. Mayor's Request 202365 Requesting an appropriation and authorization to borrow \$50,000,000 in a bond to pay costs related to the extension of the MBTA Green Line to Somerville.
- 19. Officer's Communication 202381 Assistant City Solicitor submitting a Home Rule Petition authorizing the city to borrow funds to pay for the Green Line Extension.

REPORTS OF COMMITTEES

20. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- A. Committee Report (ID # 15228) Report of the Committee on Housing and Community Development, meeting on December 5, 2016.
- B. Resolution 198971 By Ald. Gewirtz
That the Administration detail plans for the Davis Square infrastructure project and confirm when the project will begin.
RECOMMENDED: Work Completed
- C. Order 200186 By Ald. Ballantyne
That the Director of SPCD update the Ward 7 Alderman on the start date of the bike path project behind the Tannery Brook Condominiums.
RECOMMENDED: Work Completed
- D. Resolution 200771 By Ald. Rossetti
That the Administration provide this Board with an opinion relating to housing compliance, following the review of each University Spring Accountability Report, as recently submitted.
RECOMMENDED: Work Completed
- E. Order 201855 By Ald. Heuston, McWatters, and the Entire Board
That the Supervisor of Inspectional Services advise this Board on regulating Air BnB rentals through inspections.
RECOMMENDED: Work Completed
- F. Resolution 201892 By Ald. Connolly, Niedergang, Lafuente, Rossetti, Sullivan
That the Administration and the Director of Capital Projects reactivate the West Branch Library renovations project ASAP to inform the community of the latest information available, including informational meetings and the likelihood of the start of renovations.

- RECOMMENDED: Work Completed
- G. Resolution 202033 By Ald. Heuston, McWatters
That the Administration study the impact of the proposed changes to Union Square traffic per the most recent plan from Parsons Brinckerhoff, and present the findings in a public meeting before final decisions are made about changing the traffic patterns and roadways.
RECOMMENDED: Work Completed
- H. Resolution 202190 By Ald. Ballantyne, White Jr., Rossetti
That the Administration work with this Board's Committee on Housing and Community Development to respond to the Tufts Residential Strategy Working Group's recommendation to convert nonresidential buildings to residential uses.
RECOMMENDED: Work Completed
- I. Public Communication 202257 Tufts submitting comments responding to Agenda Items 24 (#202190) and 25 (#202191) re: converting nonresidential buildings to residential uses.
RECOMMENDED: Work Completed
- J. Public Communication 202301 Harvard University submitting its Fall 2016 University Accountability report.
RECOMMENDED: Work Completed
- K. Public Communication 202302 Tufts University submitting its Fall 2016 University Accountability report.
RECOMMENDED: Work Completed
- L. Public Communication 202480 West Somerville Neighborhood School PTA submitting comments re: WSNS playground spaces.
RECOMMENDED: Work Completed
- M. Order 202498 By Ald. Ballantyne
That the Superintendent of Inspectional Services provide the Ward 7 Alderman with a list of fines issued in relation to 35-37 Barton Street.
RECOMMENDED: Work Completed

21. LAND USE COMMITTEE

- A. Committee Report (ID # 15224) Report of the Committee on Land Use, meeting as a Committee of the Whole on November 29, 2016.

22. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report (ID # 15227) Report of the Committee on Legislative Matters, meeting on December 1, 2016.

- B. Order 201008 By Ald. Niedergang
That the City Solicitor report to this Board on why the Statement of Financial Interests forms filed by elected officials and department heads are so heavily redacted when provided to the public.
RECOMMENDED: Work Completed
- C. Order 201306 By Ald. Heuston
That the Director of SPCD and the City Solicitor draft an amendment to the demolition ordinance notification to abutters that includes a reason why the demolition permit was granted.
RECOMMENDED: Work Completed
- D. Order 201890 By Ald. Connolly, Sullivan
That the City Solicitor research the potential illegality of the Condominium Conversion Ordinance and provide a written opinion to this Board's Committee on Legislative Matters at the earliest opportunity.
RECOMMENDED: Work Completed
- E. Order 201901 By Ald. Niedergang
That the City Solicitor and Director of SPCD develop with this Board a revised Condominium Conversion Ordinance to remove the illegal sections in the current ordinance, and provide maximum protections to prevent the displacement of tenants or ease their transition.
RECOMMENDED: Work Completed
- F. Order 202074 By Ald. Ballantyne
That all departments post all public hearing dates on the city's website and newsletter.
RECOMMENDED: Work Completed
- G. Order 202412 By Ald. Heuston, Rossetti
That the City Solicitor draft language to amend Ordinance 11-51 to require that all new building construction provide utilities that are underground.
RECOMMENDED: Work Completed
- H. Mayor's Request 202487 Requesting approval of the dedication of Lincoln Park as Public Open Space.
RECOMMENDED: Approved
- I. Order (ID # 15230) By Ald. Niedergang
That the City Solicitor prepare a draft ordinance to amend or replace the current Condominium Conversion Ordinance, and incorporate the strongest parts of relevant state law.

23. LICENSES AND PERMITS COMMITTEE

- A. Committee Report (ID # 15229) Report of the Committee on Licenses and Permits, meeting on December 7, 2016.

24. OPEN SPACE, ENVIRONMENT AND ENERGY SPECIAL COMMITTEE
- A. Committee Report (ID # 15226) Report of the Special Committee on Open Space, Environment and Energy, meeting on November 30, 2016.

 - B. Order 197851 By Ald. Niedergang
That the Administration develop a comprehensive de-paving plan for city properties, especially school playgrounds, to alleviate flooding by reducing the 73% of Somerville that is covered by concrete, asphalt or other impervious surfaces.
RECOMMENDED: Work Completed

 - C. Order 200638 By Ald. Ballantyne
That the Director of SPCD provide this Board with the 2016 tree planting/replacement plan for all Wards.
RECOMMENDED: Work Completed

 - D. Mayor's Communication 200860 Conveying a Presentation from SPCD, Recreation, and SomerStat on Fields.

RECOMMENDED: Work Completed

 - E. Order 201489 By Ald. Ballantyne, Sullivan, Niedergang, Davis
That the Commissioner of Public Works provide alternative trash disposal options, e.g., limiting the size of disposals, charging fees, etc.
RECOMMENDED: Work Completed

 - F. Order 201567 By Ald. Ballantyne
That the Arborist check the health of the tree at 143 Powerhouse Blvd.
RECOMMENDED: Work Completed

 - G. Order 201585 By Ald. Davis
That the Commissioner of Public Works replace the dead tree at 50 Hall Avenue.
RECOMMENDED: Work Completed

 - H. Order 201614 By Ald. Heuston
That the Commissioner of Public Works report to the Ward 2 Alderman on the removal of a tree at 25 Durham Street, and on its replacement.
RECOMMENDED: Work Completed

 - I. Order 201690 By Ald. Davis, Ballantyne
That the Director of Communications maintain the city's website with information on the Emerald Ash Borer Program, including the revised list of trees to be removed, any schedule of planned phasing, and any other relevant information.
RECOMMENDED: Work Completed

- J. Order 201696 By Ald. Davis, Ballantyne
That the Director of Sustainability and the Environment and the Commissioner of Public Works report to this Board on reducing landfill waste and expanding recycling at city schools.
RECOMMENDED: Work Completed
- K. Resolution 201737 By Ald. Sullivan, Connolly, Rossetti, White Jr., McWatters, McLaughlin, Davis
That the Administration update this Board on the progress on instituting a curbside composting program.
RECOMMENDED: Work Completed
- L. Order 201861 By Ald. Davis
That the Commissioner of Public Works dim the brightness and install a filter and/or directional screening on the LED street lights in the area of 47 Hall Avenue.
RECOMMENDED: Work Completed
- M. Order 201870 By Ald. Lafuente, White Jr., Sullivan
That the Commissioner of Public Works explain why the trees at the Healy School were removed and what trees are going in their place.
RECOMMENDED: Work Completed
- N. Order 201903 By Ald. Niedergang
That the Commissioner of Public Works inform this Board about plans to re-landscape any school properties, since both the Kennedy and Healey School yards were re-landscaped this summer without public notice.
RECOMMENDED: Work Completed
- O. Order 201904 By Ald. Niedergang, Ballantyne, Sullivan, Davis, Rossetti, McLaughlin, McWatters, White Jr., Connolly
That the Director of SPCD report to this Board on keeping city trees alive by watering them during this and future droughts.
RECOMMENDED: Work Completed
- P. Officer's Communication 202136 DPW Commissioner responding to various Board Orders submitted 8/25/16.
RECOMMENDED: Work Completed
- Q. Resolution 202189 By Ald. Ballantyne
That the Administration discuss with this Board's Special Committee on Open Space, Environment and Energy, the costs identified by Lynn Weissman, attached, regarding natural grass and artificial turf fields.
RECOMMENDED: Work Completed
- R. Order (ID # 15273) By Ald. Davis
That the Commissioner of Public Works provide the Special Committee on Open Space, Environment and Energy with a list of problem lights and what was done to address them.

25. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. Committee Report (ID # 15225) Report of the Committee on Public Health and Public Safety, meeting on November 30, 2016.

- B. Order 199724 By Ald. Rossetti
That the Chief of Police and the Chief Fire Engineer appear before the Committee on Public Health and Public Safety to discuss concerns regarding #198703 and #199522 for public safety at Assembly Row and citywide.
RECOMMENDED: Work Completed

- C. Resolution 200309 By Ald. Connolly
That the Administration arrange for Matrix Consulting to appear before this Board's Public Health and Safety Committee to report their findings on public safety.
RECOMMENDED: Work Completed

- D. Public Communication 201375 District Attorney responding to #196432 re: the investigation of the murder of Deanna Cremin.

RECOMMENDED: Work Completed

- E. Resolution 201777 By Ald. Connolly, Lafuente, McWatters, McLaughlin
That the Mayor and the Chief of Police update the city website with expanded information on Police policies on Biased Based Policing, with all recent complaints and outcomes, as well as the complaint filing process and relationship with the Human Rights Commission.
RECOMMENDED: Work Completed

- F. Order 202025 By Ald. Connolly, Sullivan, Rossetti, White Jr., Niedergang, Heuston
That the Chief of Police, the Chief Fire Engineer and the Director of Traffic and Parking attend the next Public Health and Safety Committee meeting to discuss #200140 regarding a "Don't Block the Box" program.
RECOMMENDED: Work Completed

- G. Order 202183 By Ald. Niedergang
That the Chief of Police report to this Board why Police Officers don't wear name tags, with his recommendation as to whether they should.
RECOMMENDED: Work Completed

- H. Order 202184 By Ald. Niedergang
That the Commissioner of Public Works clarify to this Board and Constituent Services, and post on the city's website, the regulations for putting trash out in plastic bags that are not inside a garbage can.
RECOMMENDED: Work Completed

- I. Officer's Communication 202292 DPW Commissioner responding to various Board Orders submitted 10/13/16.

- RECOMMENDED: Work Completed
- J. Officer's Communication 202293 Director of Traffic and Parking responding to Board Orders submitted 9/13/16.
RECOMMENDED: Work Completed
- K. Order 202340 By Ald. Connolly, Rossetti, Sullivan, White Jr., Davis That the Superintendent of Inspectional Services inspect 62 Lowden Avenue for contractors working on Sunday, in violation of their building permit, and take corrective action as necessary.
RECOMMENDED: Work Completed
- L. Officer's Communication 202411 DPW Commissioner responding to various Board Orders submitted this evening, 11/10/16.
RECOMMENDED: Work Completed,
- M. Resolution (ID # 15267) By Ald. Connolly That the Administration discuss with Federal Realty Investment Trust obtaining supplemental police support at Assembly Square.

COMMUNICATIONS OF THE MAYOR

26. Mayor's Request (ID # 15214) Requesting approval of the dedication of Lincoln Park as Public Open Space, as recommended by the Legislative Matters Committee on 12/1/2016 (see #202487).
27. Mayor's Request (ID # 15259) Requesting an appropriation and authorization to borrow an additional \$192,000 in a bond for a Feasibility Study and Schematic Design for the renovation/construction of Somerville High School.
28. Withdrawn (ID # 15000) Withdrawn.
29. Mayor's Request (ID # 15191) Requesting a transfer of \$93,000 from the Sanitation Recycling Account to the Highway Overtime Account to fund overtime for maintenance of the increased vehicle fleet.
30. Mayor's Request (ID # 15201) Requesting approval to pay a prior year invoice totaling \$5,620 using available funds in the Planning and Zoning Professional Services Account for consulting services.
31. Mayor's Request (ID # 15200) Requesting approval to pay a prior year invoice totaling \$3,838.46 using available funds in the Planning and Zoning Professional Services Account for Consulting Services.

32. Mayor's Request (ID # 14528) Requesting approval to expend FY17 funds totaling \$1,000 to pay a prior year invoice in the Police Department.
33. Mayor's Request (ID # 15203) Requesting approval to expend FY17 funds totaling \$938.33 to pay a prior year invoice in the Police Department.
34. Mayor's Request (ID # 14846) Requesting approval to expend FY17 funds totaling \$439.40 to pay a prior year invoice in the Police Department.
35. Mayor's Request (ID # 15194) Requesting acceptance of a \$23,656 grant with no new match required, from the MA Department of Agricultural Resources to the Health & Human Services Department to purchase a large outdoor walk-in refrigerator and raised growing beds at ARTFarm.
36. Mayor's Request (ID # 15196) Requesting the acceptance of a \$12,000 grant from the MA Public Safety and Security Highway Safety Division for the Police's Drive Sober or Get Pulled Over and Click It or Ticket Mobilization Program.
37. Mayor's Request (ID # 15136) Requesting acceptance of a gift of \$9,064.80 from the Cambridge 5K Marathon road race, to cover Police Department costs associated with the race.
38. Mayor's Request (ID # 15193) Requesting acceptance of an in-kind gift of meeting space from WorkBar/US2 to the Community Preservation Committee for interviews for an open Community Preservation Committee seat.
39. Mayor's Request (ID # 15204) Requesting the reappointment of SHA employee Sean M. Browne as Special Police Officer.
40. Mayor's Request (ID # 15205) Requesting the reappointment of SHA employee Jose Colon as Special police Officer.
41. Mayor's Request (ID # 15206) Requesting the reappointment of SHA employee Anthony A. Crutchfield as Special Police Officer.
42. Mayor's Request (ID # 15207) Requesting the reappointment of SHA employee Harold W. Curtis, Jr. as Special Police Officer.
43. Mayor's Request (ID # 15208) Requesting the reappointment of SHA employee Michael J. de Bethencourt as Special Police Officer.

44. Mayor's Request (ID # 15209) Requesting the reappointment of SHA employee Wayne F. Gabaree as Special Police Officer.
45. Mayor's Request (ID # 15210) Requesting the reappointment of SHA employee Peter J. Grantisas as Special Police Officer.
46. Mayor's Request (ID # 15211) Requesting the reappointment of SHA employee Sergey Vasilyev as Special Police Officer.
47. Mayor's Request (ID # 15216) Requesting approval of a waiver of the residency requirement pursuant to SPD Patrol Officers' contract.
48. Mayor's Request (ID # 15217) Requesting that this Board convene in Executive Session to discuss #15216, the approval of a waiver of the residency requirement pursuant to the SPD Patrol Officers' contract.
49. Mayor's Request (ID # 15260) Requesting that this Board's President designate an Alderman to join Alderman Niedergang in serving on the Transfer Charge Task Force.
50. Mayor's Communication (ID # 15212) Conveying the FY2017-FY2026 Capital Projects List and accompanying documents.

COMMUNICATIONS OF CITY OFFICERS

51. Officer's Communication (ID # 15190) Assistant City Solicitor responding to #202357 re: the public hearing threshold when proposed zoning ordinance amendments are approved.
52. Officer's Communication (ID # 15192) Director of Parks and Recreation responding to #202416 re: the numbers of youth served since Spring, 2016.
53. Officer's Communication (ID # 15215) Director of Personnel responding to #201623, requesting due diligence on the SMEA wage study.

NEW BUSINESS

54. License/Permit (ID # 15237) Sign/Awning Permit, NU Cafe, 195 Washington St, 1 flat sign and 1 blade sign.
55. License/Permit (ID # 15238) Renewing Used Car Dealers License Class 1, Smart Center, 257 McGrath Hwy.

56. License/Permit (ID # 15239) Renewing Used Car Dealers License Class 1, Mercedes Benz of Boston, 259 McGrath Hwy.
57. License/Permit (ID # 15243) Renewing Used Car Dealers License Class 2, PJ's Motorcars, 161 Broadway.
58. License/Permit (ID # 15244) Renewing Used Car Dealers License Class 2, Broadway Sunoco, 258 Broadway.
59. License/Permit (ID # 15245) Renewing Used Car Dealers License Class 2, Simon's Auto Service, 166 Boston Ave.
60. License/Permit (ID # 15246) Renewing Used Car Dealers License Class 2, Broadway Auto Sales, 525 Broadway.
61. License/Permit (ID # 15247) Renewing Used Car Dealers License Class 2, Hillside Service Center, 45 Mystic Ave.
62. License/Permit (ID # 15248) Renewing Used Car Dealers License Class 2, Broadway Brake, 45 Broadway.
63. License/Permit (ID # 15249) Renewing Used Car Dealers License Class 2, Tech Auto Body, 9 Union Sq.
64. License/Permit (ID # 15250) Renewing Used Car Dealers License Class 2, Leins Auto Repair, 69 Bow St.
65. License/Permit (ID # 15251) Renewing Used Car Dealers License Class 2, Teele Square Auto, 1284 Broadway.
66. License/Permit (ID # 15240) Renewing Used Car Dealers License Class 3, Joseph Talewsky and Son, 512 Columbia St.
67. License/Permit (ID # 15241) Renewing Used Car Dealers License Class 3, Joseph Talewsky and Son, 517 Columbia St.
68. License/Permit (ID # 15252) Renewing Outdoor Seating License, Taipei Tokyo, 7 Holland St.
69. License/Permit (ID # 15253) Renewing Outdoor Seating License, Brass Union, 66 Union Sq.
70. License/Permit (ID # 15254) Renewing Outdoor Seating License, The Independent, 75 Union Sq.
71. License/Permit (ID # 15255) Renewing Outdoor Seating License, Tenoch Mexican, 382 Highland Ave.

- 72. License/Permit (ID # 15256) Renewing Outdoor Seating License, True Grounds, 717 Broadway.
- 73. License/Permit (ID # 15257) Renewing Outdoor Seating License, Taco Party, 711 Broadway.
- 74. License/Permit (ID # 15258) Renewing Outdoor Seating License, Nine Bar Espresso, 11 Holland St.
- 75. Public Communication (ID # 15261) Gary Trujillo submitting comments re: #202235, a Community Benefits Agreement for Union Sq.
- 76. Public Communication (ID # 15262) Andrew Stuntz and David Tisel submitting comments re: #202235, a Community Benefits Agreement for Union Sq.
- 77. Public Communication (ID # 15263) John Boney submitting comments re: #202235, a Community Benefits Agreement for Union Sq.

SUPPLEMENTAL ITEMS

- 78. Resolution (ID # 15264) By Ald. Rossetti
That the Administration update this Board on the three side letters relative to the GLX Project Participation Agreement once they're finalized.
- 79. Resolution (ID # 15265) By Ald. Rossetti
That the Administration continue exploring with MA DOR the use of the proceeds from the sale of the Powder House Community School as principal towards the \$50,000,000 GLX bond.
- 80. Resolution (ID # 15271) By Ald. McLaughlin
Reaffirming Somerville as a Sanctuary/Trust Act City.
- 81. Order (ID # 15269) By Ald. McLaughlin
That the Commissioner of Public Works repair the street light at 93 Flint Street.
- 82. Order (ID # 15270) By Ald. McLaughlin
That the Commissioner of Public Works fill the pot holes on Mt. Pleasant Street and place it on the re-paving list.
- 83. Mayor's Request (ID # 15278) Requesting the re-appointment of Alan Bishop as Constable.

84. Mayor's Request (ID # 15279) Requesting the re-appointment of Andrew Haynes as Constable.
85. Mayor's Request (ID # 15280) Requesting the re-appointment of Berlin Haynes as Constable.
86. Mayor's Request (ID # 15281) Requesting the re-appointment of Frank Santangelo as Constable.
87. Mayor's Communication (ID # 15275) Conveying an update regarding traffic calming petition procedures.
88. Officer's Communication (ID # 15274) Chairman of the Board of Election Commissioners conveying sincerest appreciation for the use of the Aldermanic Chambers for early voting this year.
89. License/Permit (ID # 15282) Renewing Used Car Dealers License Class 2, Alewife Automotive, 395 Alewife Brook Pkwy.
90. Public Communication (ID # 15276) Lee Auspitz submitting further comments re: #202364, the Mayor's proposed Green Line Extension Project Participation Agreement.
91. Public Communication (ID # 15277) Cambridge Director of Traffic and Parking responding to #202317, requesting an appearance to discuss Inman Square traffic changes.

LATE ITEMS

ADJOURNMENT