

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

REGULAR MEETING MINUTES

November 14, 2013, 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	
Maureen Bastardi	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	
Courtney O'Keefe	Ward Five Alderman	Present	
Rebekah Gewirtz	Ward Six Alderman	Present	
Robert C. Trane	Ward Seven Alderman	Present	

1. #195797 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

2. #195798 Approval of the Minutes of the Regular Meeting, October 10, 2013.
Minutes

RESULT: APPROVED

CITATIONS

3. #195799 Citation
By Ald. Connolly, and the Entire Board and the Mayor
Commending Thomas Bent, who was recently honored as the Chamber of
Commerce's 2013 Recipient of the John W. Fitzgerald Lifetime
Achievement Award.

RESULT: APPROVED

4. #195800 Citation By Ald. White Jr., and the Entire Board and the Mayor Commending Police Detective Dante DiFronzo, who was recently awarded the Alexander McQuestion Award, presented by American Legion Post 19 as the Police Officer of the Year.

RESULT: APPROVED

5. #195801 Citation By Ald. White Jr., and the Entire Board and the Mayor Commending Firefighter Christine Guelpa, who was recently awarded the Thomas Chetham Award, presented by American Legion Post 19 as the Firefighter of the Year.

RESULT: APPROVED

PUBLIC HEARINGS

6. #195802 Grant of Location submitted by RCN-BecoCom LLC for 8 feet of conduit Grant of Location from a pole on Russell Street across the sidewalk to 212 Elm Street.

RESULT: APPROVED

7. #195803 Grant of Location submitted by NStar Electric for 5 feet of conduit in Grant of Location Franklin Street from a pole to 52 Franklin St.

RESULT: APPROVED

8. #195804 Grant of Location submitted by Lighttower Fiber Networks for 117 feet of Grant of Location conduit in Middlesex Avenue from a manhole to another manhole at New Road/Revolution Drive.

RESULT: APPROVED

9. #195805 Grant of Location submitted by Lighttower Fiber Networks for 254 feet of Grant of Location conduit in the sidewalks of Ivaloo Street and Park Street, from a pole at Ivaloo Street to another pole at Park Street.

RESULT: APPROVED

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

10. #195806 Order By Ald. Bastardi That the Commissioner of Public Works contact the appropriate utility about low hanging wires at 16 Hathorn Street and 29 Delaware Street.

RESULT: APPROVED

11. #195807 Order By Ald. Bastardi
That the Director of SPCD (ISD) and the Chief of Police enforce the ordinances pertaining to early morning trash pickups on the length of lower Broadway, specifically at Tacqueria Montecristo.

RESULT: APPROVED

12. #195808 Order By Ald. Taylor
That the Commissioner of Public Works inspect the street lighting on Aldersey Street and replace the burned out light bulbs.

RESULT: APPROVED

13. #195809 Order By Ald. O'Keefe
That the Director of SPCD (ISD) inspect 50-54 Murdock Street for compliance with all zoning and municipal ordinances and submit a report to the Public Health and Safety Committee.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

14. #195810 Order By Ald. O'Keefe
That the Director of Communications (311) provide the Ward 5 Alderman with the top 10 reported issues in Ward 5 for this calendar year by this Board's last meeting in December.

RESULT: APPROVED

15. #195811 Order By Ald. O'Keefe
That the Director of SPCD and the City Solicitor present a report to this Board on what may be done to improve upon Section 13 of the Zoning Ordinances (Inclusionary Housing).

RESULT: APPROVED

FOLLOWUP: Land Use Committee

16. #195812 Order By Ald. O'Keefe
That the City Solicitor draft an ordinance detailing communication requirements to abutters of a proposed development in a residential neighborhood.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

17. #195813 Order By Ald. O'Keefe
That the City Engineer appear before the next Public Utilities and Works Committee meeting with an update on the Community Path Extension.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

18. #195814 Order By Ald. O'Keefe
That the Commissioner of Public Works and the City Engineer inspect and repair, if necessary, the sidewalks at the corner of Mossland and Elm Streets.

RESULT: APPROVED

19. #195815 Order By Ald. O'Keefe
That the Director of Traffic and Parking improve the signage at the corner of Lowell and Richardson Streets to make it less confusing.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

20. #195816 Order By Ald. Lafuente
That the Chief of Police monitor the corner of School and Medford Streets for violations of the traffic signals.

RESULT: APPROVED

21. #195817 Order By Ald. Lafuente
That the Commissioner of Public Works inspect the dead tree at 7 Maple Avenue for safety issues and remove it if necessary.

RESULT: APPROVED

22. #195818 Order By Ald. Lafuente
That the Director of SPCD (ISD) inspect 360 Mystic Avenue for code violations, illegal occupancy and potential safety issues.

RESULT: APPROVED

23. #195819 Order By Ald. Lafuente
That the Commissioner of Public Works repair the street lights at 16, 82 and 100 Fellsway West.

RESULT: APPROVED

24. #195820 Order By Ald. Lafuente That the Commissioner of Public Works inspect Marshall Street Park and report back to the Ward 4 Alderman on plans for renovating it.

RESULT: APPROVED

25. #195821 Order By Ald. Lafuente That the Director of Traffic and Parking and the Traffic Engineer provide suggestions on how to improve traffic safety and visibility at the corner of Central and Forster Streets.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

26. #195822 Order By Ald. Sullivan, Lafuente, White Jr., Connolly, Desmond That the Commissioner of Public Works contact DCR to repair the pedestrian walkway lights and the chain link fence that separates Route 93 North from the walkway in the vicinity of the Blessing of the Bay boathouse.

RESULT: APPROVED

27. #195823 Order By Ald. Sullivan, Lafuente, White Jr., Connolly, Desmond That the City Clerk send a communication to DCR requesting that an update be provided to this Board regarding the footbridge connecting Shore Drive to Assembly Square.

RESULT: APPROVED

28. #195824 Resolution By Ald. Sullivan, Lafuente, White Jr., Connolly, Desmond That the Housing Authority clear the debris between the fenced in area behind the Healey School and the Housing Authority adjacent to the stairway.

RESULT: APPROVED

29. #195825 Order By Ald. Sullivan That the City Solicitor and the Director of SPCD (ISD) update this Board on measures requiring property owners to maintain their property so it doesn't negatively impact their neighbors.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

30. #195826 Order By Ald. Sullivan, Heuston, White Jr., Connolly, Desmond
That the Commissioner of Public Works repair the uneven sidewalk located at the bus stop near 15 McGrath Highway.

RESULT: APPROVED

31. #195827 Order By Ald. Sullivan, Trane
That the Director of Traffic and Parking inform this Board on the legality of the NO TRUCKS signs on Powderhouse Blvd.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

32. #195828 Order By Ald. Sullivan, Bastardi, White Jr., Connolly, Desmond
That the Director of SPCD (Planning) review the parking restrictions as they pertain to the new construction at 625 McGrath Highway.

RESULT: PLACED ON FILE

33. #195829 Order By Ald. Connolly, Gewirtz
That the Commissioner of Public Works repair the depressions in College Avenue eastbound from Morrison Avenue to the Rotary.

RESULT: APPROVED

34. #195830 Order By Ald. Connolly, Gewirtz
That the Commissioner of Public Works replace the defective streetlamps in Davis Square Plaza and on Elm Street at One Davis Square.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

35. #195831 Resolution By Ald. Heuston, Taylor
That the Dedication Committee name the corner of Tremont Street and Webster Avenue in memory of Vietnam War veteran Arthur J. Downey.

RESULT: APPROVED

FOLLOWUP: Veterans and Public Services Committee

36. #195832 Order By Ald. Heuston
That the Commissioner of Public Works inspect and repair the traffic calming table at the intersection of Springfield Street and Concord Avenue for pedestrian safety issues.

RESULT: APPROVED

37. #195833 Order By Ald. Heuston That the Director of Finance and the City Treasurer research the possibility of providing direct deposit pay stubs online to employees and determine the potential savings to the city by doing so.

RESULT: APPROVED

FOLLOWUP: Finance Committee

38. #195834 Order By Ald. Heuston That the Commissioner of Public Works contact NStar about power outages in the Hunting Street area over the last year and report back to this Board.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

39. #195835 Order By Ald. Heuston That the Director of SPCD (ISD) determine if 46 South Street is being used as a rooming house and take all necessary actions.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

40. #195836 Order By Ald. Heuston That the Director of Traffic and Parking and the Traffic Engineer evaluate the intersection of Hunting and South Streets and the intersection of Warren and Medford Streets and make recommendations regarding traffic regulations to alleviate problems of cut through and speeding traffic.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

UNFINISHED BUSINESS

41. #194483 Public Communication Property owners Sunoco Inc. and Krisco Realty LLC submitting a proposed zoning map amendment for Prospect Hill and Somerville Avenue.

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Bastardi, Heuston, Taylor, Lafuente, O'Keefe, Gewirtz
ABSENT: Robert C. Trane

AMENDED: The item was severed. The Krisco Realty LLC portion (Somerville Ave.) remains in Committee. The Sunoco Inc. portion was approved for the Sunoco parcel only, and the zoning designation was approved as CCD45.

REPORTS OF COMMITTEES

42. LEGISLATIVE MATTERS COMMITTEE

- A. #195837 Report of the Committee on Legislative Matters, meeting as a Committee of Committee Report the Whole on November 12, 2013.

RESULT: APPROVED

- B. #195742 Order By Ald. White Jr.
That the Chair of the Legislative Matters Committee work with the Administration to advertise a public hearing for Nov. 12 at 6 PM, regarding filling vacancies on this Board (#194675 & #194849), noting that the measure would necessitate a change to the City Charter.

RESULT: WORK COMPLETED

- C. #195838 Order By Ald. White Jr.
That the City Solicitor provide an opinion on the constitutionality of preventing an individual appointed to fill a vacancy on this Board from running for a full time seat on this Board.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

- D. #195839 Order By Ald. Heuston
That the City Solicitor explain how the state's ethics rules apply to members of this Board being appointed to city jobs.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

- E. #195840 Order By Ald. Sullivan
That the City Solicitor report on the methods used by other communities, including the City of Boston, to fill vacancies in their legislative bodies.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

43. LICENSES AND PERMITS COMMITTEE

- A. #195841 Report of the Committee on Licenses and Permits, meeting on November Committee Report 13, 2013.

RESULT: APPROVED

- B. #195292 License/Permit New Hawker Peddler, Timothy Robertson, selling books.

RESULT: PLACED ON FILE

- C. #195311 Order By Ald. Trane, Heuston, Sullivan
That the Director of SPCD (ISD) review all business locations displaying goods, offering outdoor seating, or displaying signs on sidewalks, for proper permits, and direct any business not properly licensed to remove all of the above until the proper approvals are obtained.

RESULT: WORK COMPLETED

- D. #195842 Order By Ald. O'Keefe
That the Director of SPCD (ISD) and the City Clerk, in conjunction with the Chamber of Commerce, notify businesses that a permit is required to place seating or goods outdoors on the public way.

RESULT: APPROVED

44. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

- A. #195843 Report of the Committee on Public Utilities and Public Works, meeting on Committee Report November 14, 2013.

RESULT: APPROVED

- B. #193750 Order By Ald. O'Donovan
That the Commissioner of Public Works add the double poles at College Hill Avenue, Raymond and North Streets, Conwell Ave (between Curtis and Hillsdale), Chetwynd Road, Curtis Street and 9 Granite Street to his utility company "double pole" list, and that the Superintendent of Lines and Lights appear at the September 19, 2012 meeting of the Public Utilities and Works Committee.

RESULT: WORK COMPLETED

- C. #194245 Order By Ald. O'Donovan
That the Clerk of Committees notify NStar to appear before this Board's Committee on Public Utilities and Works to explain their unresponsiveness to previous requests to repair or mitigate problems with their utility poles at 44 Vernon Street.

RESULT: WORK COMPLETED

- D. #195795 DPW Commissioner responding to various Board Orders submitted this evening.
Officer's Communication

RESULT: WORK COMPLETED

- E. #195844 By Ald. O'Keefe
Order That the Commissioner of Public Works send a communication to NSTAR requesting an updated list of double poles in the city.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

45. SENIOR SERVICES COMMITTEE

- A. #195845 Report of the Committee on Senior Services, meeting on October 28, 2013.
Committee Report

RESULT: APPROVED

- B. #195846 By Ald. White Jr.
Order That the Director of Traffic and Parking consider putting a crosswalk and traffic signal at the corner of Capen Court and Alewife Brook Parkway.

RESULT: APPROVED

- C. #195847 By Ald. White Jr.
Resolution That the Housing Authority address the concerns of residents at Capen Court regarding the names of the streets, i.e., Capen Court vs. Capen Street.

RESULT: APPROVED

- D. #195848 By Ald. White Jr.
Resolution That the Housing Authority install a handrail at the first floor emergency exit at Capen Court.

RESULT: APPROVED

COMMUNICATIONS OF THE MAYOR

46. #195849 Mayor's Request Requesting that this Board hold an Assessing Classification public hearing at its November 26 regular meeting, to determine and adopt the tax levy percentages for FY14.

RESULT: APPROVED

47. #195850 Mayor's Request Requesting the acceptance of a grant of \$7,316 from Somerville Cambridge Elder Services, for the Council on Aging's Fit for Life Program.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

48. #195851 Mayor's Request Requesting the acceptance of a grant of \$6,200 from Somerville Cambridge Elder Services, for the Council on Aging's senior transportation.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

49. #195852 Mayor's Request Requesting the acceptance of a grant of \$4,632.79 from the Cambridge Health Alliance, for the Health Department's support and management of TB patients.

RESULT: APPROVED

50. #195853 Mayor's Request Requesting the acceptance of a grant of \$3,500 from the American Library Association for the purchase of "Muslim Journeys" books.

RESULT: APPROVED

51. #195854 Mayor's Request Requesting acceptance of a grant of \$2,500 from the American Libraries Association Services Story Corps for the Public Library.

RESULT: APPROVED

52. #195855 Mayor's Request Requesting the appointment of Marguerite Avery to the Library Board of Trustees.

RESULT: APPROVED

53. #195856 Mayor's Request Requesting the appointment of Judy Walter to the Library Board of Trustees.

RESULT: APPROVED

54. #195857 Mayor's Request Requesting the appointment of Jarrod Connors to the Condominium Review Board.

RESULT: APPROVED

COMMUNICATIONS OF CITY OFFICERS

55. #195858 Officer's Communication Assistant City Solicitor responding to #195656 re: other communities' regulations of E-Cigarettes.

RESULT: PLACED ON FILE

FOLLOWUP: Legislative Matters Committee

NEW BUSINESS

56. #195859 License/Permit Public Event Permit, Som|Dog Spring Fling, Union Square Plaza, Apr 27, 8-4PM.

RESULT: APPROVED

57. #195860 License/Permit New Drain Layer's License, Keash Excavating Inc.

RESULT: APPROVED

58. #195861 License/Permit Renewing Outdoor Seating License, El Potro Mexican Grill, 61 Union Sq.,

RESULT: APPROVED

59. #195862 License/Permit Renewing Outdoor Seating License, Five Horses Tavern, 400 Highland Ave.

RESULT: APPROVED

60. #195863 License/Permit Renewing Outdoor Seating License, Smart Tan, 258 Elm St.

RESULT: APPROVED

61. #195864 License/Permit Renewing Outdoor Seating License, Dave's Fresh Pasta, 79 Holland St.

RESULT: APPROVED

62. #195865 License/Permit Renewing Used Car Dealers License Class 2, United Motors, 188 Broadway.

RESULT: APPROVED

63. #195866 License/Permit Renewing Used Car Dealers License Class 2, DM Auto Body, 48 Joy St.

RESULT: APPROVED

64. #195867 License/Permit Renewing Used Car Dealers License Class 2, Mystic Auto Sales and Service, 712 Mystic.

RESULT: APPROVED

65. #195868 License/Permit Renewing Used Car Dealers License Class 2, Master Used Cars, 121 Prospect St.

RESULT: APPROVED

66. #195869 License/Permit Renewing Used Car Dealers License Class 2, Motorcycles and More, 109 Bailey Rd.

RESULT: APPROVED

67. #195870 License/Permit Renewing Used Car Dealers License Class 2, Barnes and Walsh, 224 Somerville Ave.

RESULT: APPROVED

68. #195871 License/Permit Renewing Used Car Dealers License Class 2, Unlimited Auto Body, 471 Somerville Ave.

RESULT: APPROVED

69. #195872 License/Permit Renewing Used Car Dealers License Class 2, BBS Services, 45 Broadway.

RESULT: APPROVED

70. #195873 License/Permit Renewing Used Car Dealers License Class 2, American Auto Gallery, 682 Mystic Ave.

RESULT: APPROVED

71. #195874 License/Permit Renewing Used Car Dealers License Class 3, Nissenbaum Auto Parts, 480 Columbia St.

RESULT: APPROVED

72. #195875 License/Permit Renewing Used Car Dealers License Class 3, Nissenbaum Auto Parts, 0 Windsor St.

RESULT: APPROVED

73. #195876 License/Permit Renewing Used Car Dealers License Class 3, Ed's Used Auto Parts, 516 Columbia St.

RESULT: APPROVED

74. #195877 Public Communication Joe Lynch submitting comments re: #194675 and #194849, filling vacancies on this Board.

RESULT: PLACED ON FILE

FOLLOWUP: Legislative Matters Committee

SUPPLEMENTAL ITEMS

75. #195878 Citation By Ald. Connolly, and the Entire Board and the Mayor Commending Helen McDade, on the happy occasion of her ninetieth birthday.

RESULT: APPROVED

76. #195879 Mayor's Request Requesting a transfer of \$45,000 in SPCD's Inspectional Services Division, from the Professional and Technical Services Account to the Personal Salaries Account, to fund a Senior Code Enforcement Inspector for the ISD Health Division.

RESULT: APPROVED

77. #195880 Mayor's Request Requesting review and approval of the MAPC's 2013 Update to the 2008 Hazardous Mitigation Plan.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Public Health and Public Safety Committee

78. #195881 Mayor's Request Requesting the appointment of Ezra Glenn to the Community Preservation Committee.

RESULT: APPROVED

79. #195882 Mayor's Request Requesting the appointment of Courtney Koslow to the Community Preservation Committee.

RESULT: APPROVED

80. #195883 Mayor's Request Requesting the appointment of Elizabeth Duclos-Orsello to the Community Preservation Committee.

RESULT: APPROVED

81. #195884 Mayor's Request Requesting the appointment of Uma Murugan to the Community Preservation Committee.

RESULT: APPROVED

82. #195885 Mayor's Communication Communicating to this Board the City's correspondence with Wynn Resorts Development regarding the proposed Wynn Development in Everett.

RESULT: PLACED ON FILE

83. #195886 License/Permit Public Event Permit, Jingle Bell Run, Davis Square and area streets, Dec 15, 7AM-1PM.

RESULT: APPROVED

84. #195887 License/Permit Renewing Used Car Dealers License Class 2, John's Auto Sales, 181 Somerville Ave.

RESULT: APPROVED

85. #195888 License/Permit Renewing Extended Operating Hours License, KMart, 77 Middlesex Ave.

RESULT: APPROVED WITH CONDITIONS

CONDITION: That the applicant coordinate with the Police Dept. for proper security.

86. #195889 License/Permit Temporary Grant of Location, Lighttower Fiber Networks, for overhead wires from Burnside Avenue at Elm Street to White Street Place.

RESULT: APPROVED

87. #195890 License/Permit Temporary Grant of Location, Lighttower Fiber Networks, for overhead wires from Beacon Street at Sacramento Street to Pole #30 on Sacramento Street.

RESULT: APPROVED

88. #195891 License/Permit Temporary Grant of Location, Lighttower Fiber Networks, for overhead wires from Beacon Street at Sacramento Street to Pole #NT on Eustis Street.

RESULT: APPROVED

LATE ITEMS

89. #195892 Officer's Communication DPW Commissioner responding to various Board Orders submitted this evening.

RESULT: PLACED ON FILE

FOLLOWUP: Public Utilities and Public Works Committee

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk