

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

REGULAR MEETING AGENDA

October 28, 2010, 7:00 PM
Aldermanic Chambers

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. |
| 2. | Minutes | Approval of the Minutes of the Regular Meeting, September 23, 2010. |

CITATIONS

PUBLIC HEARINGS

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| 3. | Grant of Location | Grant of Location Submitted By Comcast for 100 feet of conduit from Pole #213/2 to 5 Middlesex Ave. |
| 4. | Grant of Location | Grant of Location Submitted By Comcast for a new vault in the sidewalk at Pole #151/2A on Greenville St. |
| 5. | Grant of Location | Grant of Location Submitted By Comcast for 178 feet of conduit from a manhole at the rear of 259 McGrath Hwy. to 151 Linwood St. |
| 6. | Grant of Location | Grant of Location Submitted By Street Retail Inc. (a wholly owned affiliate of Federal Realty Investment Trust) for underground telecommunications structures, including manholes and conduit, at Middlesex Ave. and Foley St. |

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

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| 7. | Resolution | By Ald. Heuston That this Board requests that the President establish a Special Flood Forum Committee, to gather information about flooding events and monitor efforts to resolve and control them. |
| 8. | Order | By Ald. Heuston That the Director of Traffic and Parking and the Traffic Engineer work with the Ward 2 Alderman to meet with residents of the Lincoln Park and Concord Avenue neighborhood to discuss additional traffic calming measures along Concord Avenue and Newton Street, including the installation of a traffic calming table. |

9. Order By Ald. Heuston
That the Director of Traffic and Parking restrict traffic from Beacon Street onto Concord Avenue to abutters only between the hours of 7:00 AM and 10:00 AM and 4:00 PM to 7:00 PM and install signage to that effect at the intersection of Concord Avenue and Beacon Street.
10. Order By Ald. Heuston
That the Commissioner of Public Works replace the damaged parking sign at 67 Dane Street.
11. Order By Ald. Gewirtz
That the Commissioner of Public Works update this Board on any additional changes to the street sweeping schedule and clarify why street sweeping occurs outside of posted times and typically later in the afternoon.
12. Order By Ald. Gewirtz
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.
13. Order By Ald. Gewirtz
That the Commissioner of Public Works (Tree Warden) inspect the tree at lamp post #42 on the community path, to determine if it is healthy and if not, to replace it with a new one in a location close by.
14. Order By Ald. Gewirtz
That the Director of Traffic and Parking place a NO PARKING HERE TO CORNER sign twenty feet south of the intersection of College Avenue and Hall Avenue.
15. Order By Ald. Desmond, O'Donovan
That the City Solicitor advise this Board as to the legality of banning the sale of Four Loko within the City and draft legislation to do so, if deemed permissible.
16. Order By Ald. Desmond, Heuston
That the Commissioner of Public Works repair the flag poles at Conway Park and the Veterans Skating Rink.
17. Order By Ald. Desmond, O'Donovan
That the Director of Traffic and Parking replace or secure the traffic signs at 204 Cedar Street that face traffic exiting from Clyde Street as they pose a potential safety hazard to pedestrians.

18. 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.
19. Order By Ald. Desmond, O'Donovan, Connolly, Sullivan
That the Commissioner of Public Works check Albion Park and Albion street each morning for discarded hypodermic needles and syringes as they have recently been found in and around the park.
20. Order By Ald. Desmond, O'Donovan
That the Commissioner of Public Works replace the broken basketball hoop at Albion Park.

UNFINISHED BUSINESS

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

REPORTS OF COMMITTEES

22. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE, OCTOBER 18, 2010.

- A. Committee Report Report of the Committee on Housing and Community Development, October 18, 2010
- B. External Communication MBTA Deputy Director of Planning Responding to #185663 Re: Proposed MBTA Green Line Maintenance Facility.

23. LEGISLATIVE MATTERS COMMITTEE, OCTOBER 27, 2010.

- A. Committee Report Report of the Committee on Legislative Matters, October 27, 2010
- B. Resolution By Ald. Gewirtz, Pero
That this Board supports the DREAM Act being considered by Congress, and urges our Congressman and Senators to support the provision of certain conditional rights and protections to children of immigrants.

24. LICENSES AND PERMITS COMMITTEE, OCTOBER 27, 2010.

- A. Committee Report Report of the Committee on Licenses and Permits, October 27, 2010

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| B. | License/Permit | Renewing Garage License, Neeka Inc. dba Manny's Auto Center, 463 McGrath Hwy., 2 autos in. |
| C. | Officer's Communication | Asst. City Solicitor Responding to #188964 Re: Automatic Amusement Devices at 1123 Broadway. |
| D. | License/Permit | New Auto Amusement Device License, Game Underground, 1123 Broadway, 2 devices. |
| E. | License/Permit | New Garage License, Somerville Citgo DbA Shield, 620 Broadway, 2 Autos Inside. |
| F. | License/Permit | Renewing Used Car Dealer's Class 2 License, A+ Auto Body, 297 Medford St., 0 autos. |
| G. | License/Permit | New Junk Dealer's License, Delta Jewelry & Refining, 90 Highland Ave., gold, silver and jewelry. |
| H. | License/Permit | New Outdoor Seating License, New Asia, 328 Somerville Ave., 8 tables, 32 chairs. |
| I. | License/Permit | New Garage License, Louis Frank Motorcars LLC, 99 Albion St. #1, Storing unregistered autos only, 3 autos in, 3 out. |
| J. | License/Permit | Renewing Garage License, Chris's Auto Service, 371 Highland Ave., 3 autos in, 10 out. |
| K. | License/Permit | Renewing Garage License, NStar Electric and Gas Corp., 20 autos in. |
| L. | License/Permit | Renewing Garage License, Rodriguez Auto Repair, 64 Joy St., 10 autos in. |
| M. | License/Permit | Renewing Used Car Dealer Class 2 License, Executive Auto Leasing and Sales, 30 Medford St., 3 autos inside. |

25. PARKS AND OPEN SPACE SPECIAL COMMITTEE, OCTOBER 25, 2010.

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| A. | Committee Report | Report of the Committee on Parks and Open Space, October 25, 2010 |
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26. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE, OCTOBER 21, 2010.

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| A. | Committee Report | Report of the Committee on Public Health and Public Safety, October 21, 2010 |
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- B. Board Communication By Ald. Taylor
That This Board of Aldermen Hereby Requests that the Administration Provide an Update on the Status of the Bicycle Safety/Enforcement Task Force.
- C. Board Communication By Ald. White Jr., Sullivan
That the Executive Director of the Office of Strategic Planning and Community Development (ISD) and the City Solicitor Appear Before an Upcoming Meeting of the Committee on Public Health and Public Safety to Discuss the Regulation of Asbestos Removal Contractors.
- D. Board Communication By Ald. White Jr., Sullivan
That the Executive Director of the Office of Strategic Planning and Community Development (ISD) Prepare a Fact Sheet that is Given to Every Homeowner who Pulls a Construction Permit, Explaining to the Homeowner His Rights Under the Massachusetts Home Improvement Contractor Law.
- E. Board Communication By Ald. Roche, Pero, Heuston, Trane, Sullivan, Desmond, White Jr., Connolly, O'Donovan
That the Executive Director of the Office of Strategic Planning and Community Development (ISD) and the City Solicitor Determine Appropriate Fines for Landlords And/Or Contractors who Blatantly Disregard the City's Regulations, E.G. Performing Work Without the Necessary Permits or Continuing to Work After a Stop Work Order Has Been Issued.
- F. Order By Ald. White Jr.
That the Committee on Public Health and Safety Follow-Up with and Provide Data on the Ticketing Process of Inspectional Services for Properties that Are in Violation of City Ordinances.
- G. Resolution By Ald. Sullivan, Roche, White Jr., Desmond, Connolly
That This Board Requests that the State Dept. of Public Health Perform a Health and Risk Study and Offer Remediation to Deal with the Issue of Highway Pollution to the Neighborhoods in East Somerville, Adjacent to Route 93.
- H. Order By Ald. White Jr.
That the Director of Health refer the findings of the committee studying the effects of highway pollution on the city's residents, to the Board of Aldermen.

- I. Resolution By Ald. White Jr.
- That this Board requests that the City's state delegation lobby to secure funding to construct appropriate barriers along Route 93 to deal with the issue of highway pollution.

27. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE, OCTOBER 27, 2010.

- A. Committee Report Report of the Committee on Public Health and Public Safety, October 27, 2010
- B. Order By Ald. Trane
- That the Executive Director of Strategic Planning and Community Development Dispatch an Inspector to Teele Square to Check for the Proper Disposal of Trash by All Food Vendors in the Area.
- C. Order By Ald. Taylor
- That the Director of SPCD (ISD) re-bait the Walnut Street area between Aldersey Street and Highland Avenue.
- D. Order By Ald. Heuston
- That the Director of SPCD (ISD) inspect Joseph Street, Adrian Street, Newton Street and the Lincoln Park area for evidence of rodent activity, and abate any problems found.
- E. Order By Ald. Connolly
- That the Director of Communications inform this Board of its media plan to inform the public of the impending DOT bridge projects.

28. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE, OCTOBER 26, 2010.

- A. Committee Report Report of the Committee on Public Utilities and Public Works, October 26, 2010
- B. Order By Ald. O'Donovan
- That the Superintendent of Lines and Lights provide the Committee on Public Utilities and Public Works with an accurate listing of all double poles in the city.

29. RULES SPECIAL COMMITTEE, OCTOBER 21, 2010.

- A. Committee Report Report of the Committee on Rules, October 21, 2010

- B. Order By Ald. White Jr., Sullivan, Pero
- That this Board approves the attached Amendments to the Rules of the Board of Aldermen, dated October 21, 2010, as Recommended by the Special Committee on Rules.

30. YOUTH SERVICES COMMITTEE, OCTOBER 20, 2010.

- A. Committee Report Report of the Committee on Youth Services, October 20, 2010

COMMUNICATIONS OF THE MAYOR

31. Mayor's Request Requesting approval to declare a 1994 Ford Crown Victoria in the Fire Dept. as a Surplus Vehicle.
32. Mayor's Request Requesting the Appointment of William Lee to the Position of Deputy Fire Chief.
33. Mayor's Request Requesting the Appointment of Dennis Murphy to the Position of District Fire Chief.
34. Mayor's Request Requesting the Appointment of Christopher Major to the Position of Fire Captain.
35. Mayor's Request Requesting the Appointment of Michael Avery to the Position of Fire Captain.
36. Mayor's Request Requesting the Appointment of William Fitzpatrick to the Position of Fire Captain.
37. Mayor's Request Requesting the Appointment of Timothy Bakey to the Position of Fire Lieutenant.
38. Mayor's Request Requesting the Appointment of Gregory French to the Position of Fire Lieutenant.
39. Mayor's Request Requesting the Appointment of David Stiltner to the Position of Fire Lieutenant.
40. Mayor's Request Requesting the Appointment of Steven Maura to the Position of Fire Lieutenant.
41. Mayor's Request Requesting the Appointment of Mark Matthews to the Position of Fire Lieutenant.
42. Mayor's Request Requesting the Appointment of Stephen Belski to the Position of Fire Lieutenant.
43. Mayor's Request Requesting the Appointment of Patrick Halloran to the Fire Reserve List.

- 44. Mayor's Request Requesting the Appointment of Brian Tilley to the Position of Police Officer.
- 45. Mayor's Request Requesting the Appointment of Timothy Vannostrand to the Position of Police Officer.
- 46. Mayor's Request Requesting the Appointment of Joseph Topol as Constable.
- 47. Mayor's Request Requesting approval of a Resolution that the Office of Sustainability and Environment work with the Mayor's Office to convene a Public Somerville Climate Summit.

COMMUNICATIONS OF CITY OFFICERS

NEW BUSINESS

- 48. License/Permit Public Event Permit, Warren Miller's Wintervention Sponsor Banner, Somerville Theater, Nov 3-4, 5:30-11:15PM.
- 49. License/Permit Public Event Permit, Groundwork Somerville 2010 Green-a-Thon, 0 New Washington St. to Cafe Belo, Somerville Junction Park, Area behind the High School, and Alewife Brook Pkwy. at Broadway, Nov 13, 10AM-2PM (rain Nov 14).
- 50. License/Permit New Garage License, Teele Sq. Auto, 1284 Broadway, Mechanical repairs and storing vehicles, 3 autos inside, 8 outside.
- 51. License/Permit Renewing Garage License, Somerville Auto Center, 193 Somerville Ave., 16 autos inside.

LATE ITEMS

- 52. Mayor's Request Requesting Approval to Establish a Private-Purpose Trust Fund for the Activities of the SomerPromise Program
- 53. Officer's Communication Traffic and Parking Director Responding to Various Board Orders
- 54. Order By Ald. Desmond, Heuston

That the Director of Traffic and Parking install RIGHT ON RED signs on Somerville Avenue, to allow traffic exiting School Street onto Somerville Avenue the ability to turn right on red.

55. Order By Ald. Desmond, O'Donovan
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.
56. Order By Ald. Heuston
That the Chief of Police order a directed patrol at the Veteran's Memorial Rink, from early evening to early morning, to monitor activity around the rink, parking lot and the outdoor recreational areas near the rink.
57. Order By Ald. Heuston
That the Chief of Police provide an increased police presence in the Hanson Street area and update the Ward 2 Alderman regarding the recent break-ins that have occurred there.
58. License/Permit New Drainlayer License, Atlantic Excavation and Utility Corp.
59. License/Permit Sign License, Somerville Community Access Television Inc. dba SCATV, 90 Union Sq., 2 signs, 1 banner, 1 awning.

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk