

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

MINUTES OF THE REGULAR MEETING

March 25, 2010, 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.

PRESENT for all or part of the meeting: President John M. Connolly, Vice President Rebekah L. Gewirtz, Aldermen Dennis M. Sullivan, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Walter F. Pero, Sean T. O'Donovan, Robert C. Trane

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. | 189006
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of February 25, 2010. | 189007
Approved |

CITATIONS

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| 3. | Citation | By Ald. Heuston and the Entire Board, Commending the Gentle Giant Moving Company for being named the 2010 Independent Mover of the Year, and for 30 years of success as a local business and a community partner. | 189008
Approved |
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PUBLIC HEARINGS

None

**ORDERS, ORDINANCES, RESOLUTIONS
AND MOTIONS OF MEMBERS**

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| 4. | Order | By Ald. Roche, That the Director of Public Health bait Allston St. and around 240 Pearl St. for rodent control. | 189009
Approved |
| 5. | Order | By Ald. Roche, That the Chief of Police order directed patrols to Otis St. between Cross St. and McGrath Hwy., and at the dead end side of Flint St., as residents have reported vehicle break-ins and vandalism. | 189010
Approved |

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| 6. | Order | By Ald. Roche, That this Board's Committee on Licenses and Permits direct the owner of A+ Auto Body on Medford St. to appear before the committee for a show cause hearing on why the city should not revoke its business license. | 189011
Approved, Copy to
Licenses & Permits |
| 7. | Order | By Ald. Roche, That the Commissioner of Public Works obtain a cleaning and maintenance schedule from DCR for all of the open spaces that they are responsible for. | 189012
Approved, Copy to
Public Health & Safety |
| 8. | Order | By Ald. Roche, That the Commissioner of Public Works collaborate with the state to provide proper lighting on the pedestrian path under Rt. 93 from the Stop & Shop to the Assembly Sq. Mall, and to ensure ongoing maintenance. | 189013
Approved as Amended:
Also fix the fencing,
Copy to Public Health
& Safety |
| 9. | Order | By Ald. Connolly, Desmond, Sullivan and White, That the Commissioner of Public Works conduct a citywide "pothole patrol" to repair any dangerous conditions. | 189014
Approved, Copy to
Public Health & Safety |
| 10. | Order | By Ald. Connolly, Desmond, Sullivan and White, That the Director of Traffic and Parking ensure the protection of persons and property at the intersection at 132 Cedar St. and Lexington Ave. | 189015
Approved, Copy to
Public Health & Safety
and Traffic & Parking |
| 11. | Order | By Ald. Heuston, That the City Clerk invite the State Delegation to a meeting of the Finance Committee to provide an update on the State budget and Local Aid. | 189016
Approved, Copy to
Finance |
| 12. | Order | By Ald. Heuston, That the City Solicitor, with the Director of Traffic and Parking, consider including Clark St. as a zoned parking area, (per #188924), since residents have difficulty parking due to the pickup and dropoff at the Argenziano School. | 189017
Approved, Copy to
Traffic & Parking |
| 13. | Order | By Ald. O'Donovan, That the Director of Traffic and Parking inform this Board when additional traffic-slowing signage will be available. | 189018
Approved |
| 14. | Order | By Ald. O'Donovan, That the Commissioner of Public Works attend the next Public Utilities & Works Committee meeting to discuss various items, especially double poles. | 189019
Approved, Copy to
Public Utilities &
Works |
| 15. | Order | By Ald. O'Donovan, That the Commissioner of Public Works clean the debris along the fences at the MaxPak site. | 189020
Approved |
| 16. | Order | By Ald. O'Donovan, That the Commissioner of Public Works coordinate with the owners of the MaxPak site to remove all graffiti from the Lowell St. bridge. | 189021
Approved |

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| 17. | Order | By Ald. Gewirtz, That the Commissioner of Public Works change street sweeping signs in school zones so street sweeping does not occur there during school drop offs. | 189022
Approved |
| 18. | Order | By Ald. Gewirtz, That the Library Director report to the Ward 6 Alderman the busiest and slowest hours at the West Branch library to determine the feasibility of shifting hours so the library may be open on Saturday mornings. | 189023
Approved |
| 19. | Order | By Ald. Gewirtz, That the Chief of Police report to this Board the locations of home break-ins in the Ward 6 area over the past 6 months. | 189024
Approved |
| 20. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration provide this Board a timeline for when the traffic mitigation changes will be made on Willow Ave., including a bump out at Elm St. and a traffic calming table. | 189025
Approved |
| 21. | Order | By Ald. Gewirtz, Trane and O'Donovan, That the Director of Traffic and Parking provide the Ward 6 Alderman with road closing plans in advance of major road races in Davis Sq. to maximize notification to residents and to ensure that only the most limited number of streets are impacted. | 189026
Approved, Copy to
Traffic & Parking |
| 22. | Order | By Ald. Gewirtz, That the City Traffic Engineer initiate a study to reduce traffic on College Ave. from Powderhouse Rotary to Davis Sq., at the same time as bicycle symbols are installed on both sides of the street next month. | 189027
Approved, Copy to
Traffic & Parking |
| 23. | Order | By Ald. Gewirtz and O'Donovan, That the Commissioner of Public Works remove any graffiti on the community path between Willow Ave. and Cedar St. | 189028
Approved |
| 24. | Resolution | By Ald. Sullivan and Roche, That this Board requests that the US Postal Service relocate the mailbox at 238-240 Broadway to its previous location at 236 Broadway prior to the commencement of sidewalk repairs. | 189029
Approved |
| 25. | Order | By Ald. Trane, That the Commissioner of Public Works inspect the recently installed sidewalks on Hooker Ave. as they appear to be failing prematurely. | 189030
Approved |
| 26. | Order | By Ald. Trane, That the Commissioner of Public Works replace the missing street sign for Endicott Ave. | 189031
Approved |
| 27. | Order | By Ald. Trane, That the Commissioner of Public Works paint the acorn light fixtures in Teele Sq. | 189032
Approved |
| 28. | Order | By Ald. Trane, That the Chief of Police direct the Animal Control Officer to step up enforcement of pooper scooper rules on Conwell Ave. and surrounding streets. | 189033
Approved |

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| 29. | Order | By Ald. Trane and White, That the Director of Public Health review current regulations regarding dog droppings and make a recommendation for increased fines and better enforcement to address numerous complaints. | 189034
Approved as Amended:
Include Animal Control Officer |
| 30. | Order | By Ald. Trane, Desmond, Sullivan, Connolly and White, That the Commissioner of Public Works report to the Ward 7 Alderman what utilities have not removed their equipment from the double poles on Hamilton Rd. | 189035
Approved as Amended:
Include double pole at 71 Pinckney St. |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 31. | Committee Report | Report of the Committee on Housing & Community Development, Mar. 16. | 189036
Approved |
| 31A. | Mayor's Comm. | Conveying the Administration's position on the interrelationship of the I-Cubed program and a second head house at the Orange Line Assembly Sq. station. | 188351
Placed on File |
| 32. | Committee Report | Report of the Committee on Public Health & Safety, Mar. 22. | 189037
Approved |
| 32A. | Order | By Ald. White, That the attached communication from Market Basket, re: #188285, be referred to the Committee on Public Health and Safety. | 188576
Placed on File |
| 33. | Committee Report | Report of the Committee on Parks & Open Space, Mar. 22. | 189038
Approved |
| 33A. | Resolution | By Ald. Heuston, That this Board requests that the Administration research CDBG-eligible areas near Dilboy Stadium. | 189039
Approved |
| 33B. | Order | By Ald. Gewirtz, That the Director of SPCD prepare a cost estimate for a dog park at Dilboy Field and report back to the next meeting of the Committee on Parks & Open Space. | 189040
Approved, Copy to Parks & Open Space |
| 33C. | Resolution | By Ald. Heuston, That this Board requests that the Administration provide details on the scope of a fruit tree planting grant to provide for better decision-making in the future about these types of grants. | 189041
Approved |
| 34. | Committee Report | Report of the Committee on Finance, Mar. 23. | 189042
Approved |

34A.	Officer's Comm.	Acting Chief Assessor, responding to #188636 re: programs that assist seniors and low income homeowners who have difficulty paying their property taxes.	188757 Placed on File
34B.	Mayor's Request	Requesting approval to amend the appropriation of \$4,400,000 (#185830, approved 7/10/08) to purchase and install water meters, by increasing it to \$4,824,000, and authorizing issuance of a bond to meet the appropriation.	188965 Approved
34C.	Mayor's Request	Requesting approval of an appropriation of \$18,853 from the remaining balance of \$34,687 in the Trum Field House Project, to the School Traffic Safety Bollards Acct., to install LED lighted bollards at various schools citywide.	188966 Approved
34D.	Mayor's Request	Requesting approval of an appropriation of \$15,350 from the remaining balance of \$34,687 in the Trum Field House Project, to the Winter Hill School Repairs Acct., for vertical pointing of the east wall at the school.	188967 Approved
34E.	Mayor's Request	Requesting approval to expend a grant of \$105,356 from FEMA's Dept. of Homeland Security for technical rescue training and rescue equipment in the Fire Dept.	188969 Approved
34F.	Mayor's Request	Requesting approval to expend a grant of \$56,334 from the MA Technology Collaborative's Clean Energy Choice program to the Office of Sustainability and Environment, for a solar panel on the Central Library, several solar area lighting units, and a sustainability fair.	188970 Approved
34G.	Mayor's Request	Requesting authorization to execute a deed conveying the city's interest in land located at 202 Elm St., so the owners can clear title to allow the sale of the property.	189005 Approved
35.	Committee Report	Report of the Committee on Legislative Matters, Mar. 23. No papers.	189043 Approved

COMMUNICATIONS OF THE MAYOR

36.	Mayor's Request	Requesting approval of an amendment to the Zoning Ordinance to modify the parking requirements in Article 9 for the Large Retail and Service Cluster in certain districts.	189044 Land Use and Planning Board
37.	Mayor's Request	Requesting acceptance of the utility infrastructure improvements in Assembly Sq. completed by Federal Realty Investment Trust, including sanitary sewer, water, storm drainage, electric, and telephone.	189045 Finance
38.	Mayor's Request	Requesting approval to transfer \$450,000 from the Receipts Reserved for Appropriation-Insurance Losses Acct. to the East Somerville School Renovations Acct., for renovation of the East Somerville Community School.	189046 Finance

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| 39. | Mayor's Request | Requesting approval to transfer \$123,444 from the Traffic and Parking Meter Receipts Acct. to the Traffic and Parking Capital Outlay Parking Meter/Installation Acct., to fund the procurement of Automated Parking Meter Kiosks. | 189047
Finance |
| 40. | Mayor's Request | Requesting approval to transfer \$44,000 in SPCD, from its Planning Salaries Acct. (\$30,000) and its ISD Salaries Acct. (\$14,000) to its ISD Professional Services Acct., for an organizational study of the Inspectional Services Division. | 189048
Finance |
| 41. | Mayor's Request | Requesting approval to transfer \$35,000 from the Debt Service Principal on Long Term Debt Acct. to the Veterans Services Benefits Acct. for entitlement benefits. | 189049
Approved |
| 42. | Mayor's Request | Requesting approval to transfer \$20,000 from the Traffic and Parking Meter Receipts Acct. to the Traffic and Parking Repairs to Highway Acct., for thermoplastic line painting. | 189050
Finance |
| 43. | Mayor's Request | Requesting approval to transfer \$9,743 from the Salary Contingency Acct. to the Law Other Lump Sum Payments Acct. to fund accrued vacation and furlough time for the former City Solicitor. | 189051
Finance |
| 44. | Mayor's Request | Requesting approval to use available funds of \$5,226 in the SPCD Transportation and Infrastructure Salaries Acct. to fund a Green Infrastructure Planner effective 4/1/10 at an annual salary of \$45,468. | 189052
Finance |
| 45. | Mayor's Request | Requesting an appropriation of \$62,000 from the Capital Projects Stabilization Fund for emergency roof repairs at the High School. | 189053
Finance |
| 46. | Mayor's Request | Requesting approval to extend a contract with the Maguire Group Inc. for engineering services at the East Somerville Community School to 12/31/12. | 189054
Finance |
| 47. | Mayor's Request | Requesting the appointment of Jared Falcon as Constable. | 189055
Approved |

COMMUNICATIONS OF CITY OFFICERS

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| 48. | Officer's Comm. | Asst. City Solicitor submitting a proposed Ordinance to provide for reasonable accommodation in the land use and zoning and building regulations per the Fair Housing Laws. | 189056
Legislative Matters |
| 49. | Officer's Comm. | Asst. City Solicitor responding to #188924 re: designated parking districts. | 189057
Placed on File, Copy to
Traffic & Parking |

50.	Officer's Comm.	Asst. City Solicitor responding to #188927 re: issuing tickets to violators illegally parked in HP parking spaces.	189058 Placed on File, Copy to Traffic & Parking
51.	Officer's Comm.	Asst. City Solicitor responding to #188964 re: automatic amusement devices at 1123 Broadway.	189059 Placed on File, Copy to Licenses & Permits
52.	Officer's Comm.	Traffic and Parking Engineer responding to various Board orders.	189060 Placed on File
<u>NEW BUSINESS</u>			
53.	Public Event	Public Event Permit, Candlelight Vigil for Deanna Cremin, 125 Jaques St., Mar 29, 7-7:30PM.	189061 Approved
54.	Public Event	Public Event Permit, Christopher Leavitts Memorial Motorcycle Ride, Dilboy Parking Lot, May 1, 9:30-11AM (raindate May 2).	189062 Approved
55.	Drainlayer	Renewing Drain Layer's License, AP Flowers and Son, LLC.	189063 Approved
56.	Drainlayer	Renewing Drain Layer's License, RA Powell Construction.	189064 Approved
57.	Drainlayer	Renewing Drain Layer's License, Suffolk Engineering Inc.	189065 Approved
58.	Drainlayer	Renewing Drain Layer's License, LaMountain Brothers Inc.	189066 Approved
59.	Drainlayer	Renewing Drain Layer's License, MJ Scully and Co.	189067 Approved
60.	Drainlayer	Renewing Drain Layer's License, Sean Farrell Excavation Inc.	189068 Approved
61.	Drainlayer	Renewing Drain Layer's License, Caruso and McGovern Construction Inc.	189069 Approved
62.	Drainlayer	Renewing Drain Layer's License, James W. Flett Co.	189070 Approved
63.	Drainlayer	Renewing Drain Layer's License, N. Sacca and Sons Inc.	189071 Approved
64.	Outdoor Seating	New Outdoor Seating and Goods License, Ana Style USA, 114 Broadway, 1 A-frame sign.	189072 Licenses & Permits

65.	Outdoor Seating	Renewing/Amending Outdoor Seating and Goods License, PJ Ryan's, 239 Holland St., 8 tables, 16 chairs (last year: 6 tables, 12 chairs, 2 benches).	189073 Approved
66.	Outdoor Seating	Renewing/Amending Outdoor Seating and Goods License, Dave's Fresh Pasta, 81 Holland St., 6 tables, 12 chairs, 1 A-frame sign (last year: 5 tables, 10 chairs, 1 A-frame sign).	189074 Approved
67.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Diva Indian Bistro, 246-248 Elm St., 4 tables, 8 chairs, 1 banner sign.	189075 Approved
68.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Sound Bites, 704 Broadway, 4 tables, 16 chairs.	189076 Approved
69.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Smart Tan, 258 Elm St., 1 sidewalk sign.	189077 Approved
70.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Blue Shirt Café, 535 Highland Ave., 4 tables, 8 chairs.	189078 Approved
71.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Precinct, 70 Union Sq., 18 tables, 48 chairs.	189079 Approved
72.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Mr. Crepe, 51 Davis Sq., 5 tables, 10 chairs, 1 A-frame sign.	189080 Approved
73.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Sagra, 400 Highland Ave., 6 tables, 12 chairs, 1 A-frame sign.	189081 Approved
74.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Pizzeria Posto, 187 Elm St., 10 tables, 20 chairs.	189082 Approved
75.	Garage	Renewing Garage License, Somerville Auto Repair, 453 Somerville Ave., 7 autos outside, 2 inside.	189083 Licenses & Permits
76.	Junk	Renewing Junk Dealer's License, La Chic Boutique, 235A Elm St., Women's boutique and decorative household items.	189084 Licenses & Permits
77.	Junk	Renewing Junk Dealer's License, Nissenbaums Auto Parts Inc., 480 Columbia St., Scrap.	189085 Licenses & Permits
78.	Junk	Renewing Junk Dealer's License, Joseph Talewsky Enterprise Inc., 508 Columbia St., Scrap.	189086 Licenses & Permits
79.	Billiards	Renewing Billiard/Pool Table & Bowling Alley License, On the Hill Tavern, 499 Broadway, 3 pool tables.	189087 Approved
80.	Outdoor Parking	Renewing Outdoor Parking License, Pat's Towing Inc., 160-200 McGrath Hwy., 340 spaces.	189088 Licenses & Permits

81.	Outdoor Parking	Renewing Outdoor Parking License, Nissenbaums Auto Parts Inc., 480 Columbia St., 76 spaces.	189089 Licenses & Permits
82.	Outdoor Parking	Renewing Outdoor Parking License, 534 Central LLC, 11-13 Washington St., 12 spaces.	189090 Licenses & Permits
83.	Extended Hours	Renewing Extended Operating Hours License, Domino's Pizza, 201 Elm St., Th to 1AM, Fr-Sa to 2AM, for deliveries only.	189091 Licenses & Permits
84.	Extended Hours	Renewing Extended Operating Hours License, McDonald's, 14 McGrath Hwy., 24/7 operation.	189092 Licenses & Permits
85.	Ordinance	Ten registered voters/Somerville Residents for Sensible Development requesting approval of an amendment to the zoning ordinances to require the submission of a pro forma financial analysis to the Special Permit Granting Authority.	189093 Land Use and Planning Board
86.	Ordinance	Ten registered voters/Somerville Residents for Sensible Development requesting approval of an amendment to the zoning ordinances to prohibit certain residential uses within 150 feet of an active railroad right-of-way grade crossing.	189094 Land Use and Planning Board
87.	Ordinance	Ten registered voters/Somerville Residents for Sensible Development requesting approval of an amendment to the zoning ordinances to prohibit the use of tandem parking for any off-street parking plan.	189095 Land Use and Planning Board
88.	Comm.	Lynn McWhood submitting comments re: #188685, a proposed zoning amendment to disclose everyone holding an interest in a special permit or variance application.	189096 Placed on File, Copy to Land Use
89.	Comm.	Jessica Ziegler submitting comments re: #188847, a proposed zoning amendment to amend allowable uses, requirements for special permits, and purpose statements in IA and IP zones.	189097 Placed on File, Copy to Land Use
90.	Comm.	Fred Berman, submitting comments re: #'s 188681-188685, five proposed zoning amendments submitted by Somerville Residents for Sensible Development.	189098 Placed on File, Copy to Land Use

LATE ITEMS

91.	Order	By Ald. Roche, That the Director of SPCD dispatch the Neighborhood Impact Team to inspect 10-12 Illinois Ave. for violations.	189099 Approved
92.	Order	By Ald. Roche, That the Director of SPCD dispatch the Neighborhood Impact Team to inspect 11 Sunnyside Ave. for violations.	189100 Approved

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| 93. | Order | By Ald. White, That the City Solicitor determine the ability of the city to implement an ordinance requiring public utilities to make requested repairs within a specific period of time or be fined. | 189101
Approved, Copy to
Public Health & Safety
and Public Utilities &
Works |
| 94. | Order | By Ald. Heuston, That this Board requests that the Administration prepare a map delineating the areas in the city that are under the control of DCR or Mass Highway. | 189102
Approved, Copy to
Public Health & Safety |
| 95. | Mayor's
Request | Requesting approval of a letter to the MA DOT supporting the continuation of the Green Line extension to Rt. 16. | 189103
Housing & Community
Development |

Submitted by John J. Long, City Clerk