

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

REGULAR MEETING AGENDA

October 13, 2011, 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,
September 8, 2011.

CITATIONS

3. Citation By Ald. Roche, Connolly, Desmond, Sullivan, White Jr.

Congratulating John and Louise Ragno on the
auspicious occasion of their 50th wedding anniversary.

PUBLIC HEARINGS

4. Grant of Location Grant of Location submitted by NStar Electric to install
25 feet of conduit in Glen St., to provide service to 130
Broadway.
5. Grant of Location Grant of Location submitted by NStar Electric to install
161 feet of conduit in South St. and 215 feet of conduit
in Medford St., to improve underground electric service
reliability in this area.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

6. Order By Ald. Heuston

That the Commissioner of Public Works install big
belly recycling and trash barrels in Union Square after
conferring with the Ward Two Alderman on the
locations.
7. Order By Ald. Trane

That the Director of Traffic and Parking stripe the
roadway on North Street, from Broadway to the
Medford line.
8. Order By Ald. Trane

That the Commissioner of Public Works replace the
sidewalk at 33 College Hill Road.

9. Order By Ald. Trane
That the Commissioner of Public Works replace the sidewalk at 188 Boston Avenue.
10. Order By Ald. Trane
That the Director of SPCD dispatch the Neighborhood Inspection Team to 113-115 Hillsdale Road to examine the property for code violations.
11. Order By Ald. Trane
That the Director of SPCD (ISD) inspect 100-102 West Adams Street for overcrowding.
12. Order By Ald. Trane
That the City Solicitor contact the owner of 100-102 West Adams Street regarding overcrowding.
13. Order By Ald. Roche
That the Commissioner of Public Works install a GO SLOW - CHILDREN sign on Illinois Avenue, near Pennsylvania Avenue.
14. Order By Ald. Roche, White Jr., Sullivan
That the Chief of Police and the Director of SPCD (ISD) respond to the attached list of problem addresses and be prepared to provide an update at this Board's October 24 Public Health and Safety Committee Meeting.
15. Order By Ald. Roche, White Jr., Sullivan
That the City Solicitor advise this Board of the legality of changing city ordinances to hold property owners accountable for continuous public health and public safety issues on their properties.
16. Resolution By Ald. White Jr., Gewirtz, Pero, Sullivan
That this Board supports a constitutional amendment to reverse Citizens United v. Federal Election Commission and the resolution offered by State Senator Eldridge and others, Senate #01488.
17. Order By Ald. White Jr., Roche, Sullivan
That the Director of SomerStat establish a procedure between Inspectional Services and the Police to follow up on complaints made by ward aldermen, and to establish a more user-friendly process for residents to lodge complaints about properties.

18. Order By Ald. White Jr., Roche, Sullivan
- That the Clerk of Committees request a representative of the Housing Authority to appear at the October 24 Public Health and Safety Committee meeting (7 PM at the Cross Street Center) to address the Authority's ability to deal with tenants who hold Section 8 certificates and create neighborhood problems.
19. Order By Ald. White Jr., Heuston
- That the Director of SPCD, or a representative, appear before the Committee on Housing and Community Development to address whether the lottery provisions for affordable housing should be changed to give preference to residents who have been displaced from the area in which the affordable unit(s) are from.
20. Order By Ald. White Jr., Pero
- That the Commissioner of Public Works, or his representative, attend the next meeting of the Public Health and Safety Committee to discuss further measures to reduce the noise of the freezer fan at the Winter Hill Community School.
21. Order By Ald. Sullivan, White Jr.
- That the Director of Health appear before the Public Health and Public Safety Committee to provide an update on the proposed Municipal Domestic Violence Policy.
22. Resolution By Ald. Sullivan
- That this Board requests that a representative from the Administration appear before the Public Health and Safety Committee to provide an update on the proposed Bicycle/Pedestrian Public Safety Campaign.
23. Order By Ald. Sullivan, O'Donovan
- That the Commissioner of Public Works trim the trees at 314 Lowell Street.
24. Order By Ald. Connolly, Gewirtz
- That the Commissioner of Public Works repair the loose cobblestones in the tree aprons in Davis Square Plaza.
25. Order By Ald. Connolly, Gewirtz
- That the Commissioner of Public Works repair the roadway between Grove Street and Liberty Road.

26. Order By Ald. Connolly, Gewirtz
That the Commissioner of Public Works mark the sidewalk adjacent to the catch basins on Winslow Avenue, between Grove Street and Villa Avenue, with a notice informing vehicles to leave a clearance space to allow access to the catch basin during heavy rain, to prevent street flooding.
27. Order By Ald. Connolly, Taylor
That the Director of Traffic and Parking re-stripe the crosswalk on Walnut Street at Bow Street.
28. Resolution By Ald. Connolly, and the Entire Board
That this Board requests that the Director of the Arts Council assist local citizens working to promote the Irish Film Festival to be held in March, 2012.

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

29. FINANCE COMMITTEE

- A. Committee Report Report of the Committee on Finance. meeting on October 5, 2011.
- B. Mayor's Request Requesting approval for the Personnel Dept. to use FY 2012 funds to pay FY 2011 invoices totalling \$7,133.
- C. Mayor's
Communication Communicating to this Board regarding a Capital Projects planning update.
- D. Mayor's Request Requesting an appropriation of \$100,000 and authorization to borrow the same amount in a bond for various repairs to municipal buildings.
- E. Mayor's Request Requesting an appropriation of \$55,000 and authorization to borrow the same amount in a bond to replace the apron at the Fire Dept. Headquarters.
- F. Mayor's Request Requesting an appropriation of \$50,000 and authorization to borrow the same amount in a bond to repair the Dept. of Public Works roof.
- G. Mayor's Request Requesting an appropriation of \$50,000 from the Capital Projects Stabilization Fund for private way reconstruction work.
- H. Mayor's Request Requesting an appropriation of \$25,000 from the Capital Projects Stabilization Fund to fund the purchase of street benches and barrels.

- I. Mayor's Request Request to pay prior year invoices in the Department of Public Works from the FY12 appropriation, totalling \$11,031.75.
- J. Mayor's Request Requesting acceptance of a grant of \$31,809 from the Office of Justice Programs FY11 Byrne JAG Grant for the use of the Police Dept.
- K. Mayor's Request Requesting the acceptance of an overtime reimbursement from Federal Realty to cover Police expenses associated with the Riverfest Fireworks event on September 17, 2011.
- L. Mayor's Request Requesting approval of an \$800 grant from the MetLife Foundation to support the Arts Council's Art in a Garden program.

30. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, meeting on October 6, 2011.
- B. Ordinance By Ald. Trane
That this Board ordain the attached Nuisance Control Ordinance to protect the health, safety and welfare of the city's inhabitants.
- C. Officer's Communication Asst. City Solicitor submitting a revised Rodent Control Ordinance.

31. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, meeting on October 11, 2011.
- B. Officer's Communication An Ordinance Regarding Providing a Procedure for Reasonable Accommodation in the City's Land Use and Zoning and Building Regulations Pursuant to the Fair Housing Laws.
- C. External Communication Maryanne Manfra Submitting Comments Re: #188655, Amending the Local Historic District Ordinance (Group B).
- D. Order By Ald. Taylor
That the Environmental Programs Manager investigate creating a paper/plastic recycling initiative at fast food establishments.

- E. 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.
- F. Order By Ald. Desmond
- That the Director of SPCD consult the the Boston Society of Architects about building projects with the Stretch Energy Code and report back to the Committee on Legislative Matters with any recommendations.
- G. Order By Ald. Heuston
- That the City Solicitor draft an ordinance requiring properties of a certain use and size, to obtain a permit before using an amplified sound system, and be soundproofed.
- H. Ordinance By Ald. Desmond, Roche, Sullivan, Gewirtz, O'Donovan, Heuston, Taylor
- That this Board amends Ordinance Section 2-355, aka The Responsible Employer Ordinance, as noted within. (see attachment)
- I. Mayor's Request Requesting an amendment to the Local Historic District Map to add 1 property to the existing Florence-Myrtle District (remaining unapproved property from Group D).
- J. Order By Ald. Taylor
- That the City Solicitor, the Chief of Police and the Director of SPCD (ISD) draft amendments to the noise ordinance to deal with organizations using enhanced sound systems in RA and RB districts and report back to the Committee on Legislative Matters at its April 26th meeting.
- K. Public Communication Sixty registered voters submitting a "Proposed Ordinance to Ensure that Development Financed with the Sale of DIF Bonds Yields Jobs for Somerville Residents."
- L. Mayor's Request Requesting an amendment to the Local Historic District Map to create 4 new Districts (Winter Hill, Hinckley-Magoun, College Ave. Corridor of Faith, and Teele Sq.) and add 17 properties to these Districts, and to add 1 property to an existing District (East Somerville) (Group E).

- M. Mayor's Request Requesting approval of a Home Rule Petition authorizing the increase of the number of liquor licenses that the Licensing Commission may issue.
- N. Order By Ald. Roche
That the City Solicitor draft an ordinance fining homeowners and contractors who remove a Stop Work order posted by the City on buildings undergoing unauthorized construction work.
- O. Public Communication William Campbell submitting comments re: H1972, An Act Regulating Election Primaries.
- P. Resolution By Ald. Connolly
That this Board requests that the Licensing Commission consider amending its regulations to require that new liquor license applicants undergo training for the sale of alcohol to underage individuals.

32. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. Committee Report Report of the Committee on Public Health and Public Safety, meeting on October 6, 2011.
- B. Order By Ald. Gewirtz, O'Donovan
That the Chief of Police recommend to this Board, specific places on the community path where more lighting could be added.
- C. Order By Ald. Heuston, Taylor
That the Commissioner of Public Works inform this Board on the most recent reconstruction and re-design of the Somerville Avenue, Elm Street and Wilson Square area, which was intended to address potential accidents.
- D. Order By Ald. Gewirtz
That the Commissioner of Public Works repair or replace all damaged or missing bricks in Davis Square to eliminate the public safety hazards they create.
- E. Order By Ald. Heuston
That the Director of SPCD (ISD) provide the Ward 2 Alderman with a status of the condemned building at 294 Beacon Street.

- F. Order By Ald. Connolly, Gewirtz
That the Director of SPCD (ISD) inspect 20 Thorndike Street and take any action necessary to compel the owner to improve the property.
- G. Order By Ald. Heuston
That the Director of Constituent Services provide the Committee on Public Health and Safety with a list of calls to 311 over the past 2 years on the trash/dumpster problem at 64 Walnut Street.
- H. Order By Ald. White Jr., Pero, Sullivan, Connolly, Desmond
That the Chief of Police order directed patrols along Shore Drive, including the adjoining water front and wooded area.
- I. Resolution By Ald. White Jr.
That this Board requests that the Administration work with DCR to obtain a maintenance agreement allowing the City to maintain the area between Shore Drive and the Mystic River, to address the overgrowth and issues of public safety.

COMMUNICATIONS OF THE MAYOR

33. Mayor's Request Requesting approval of an MCC grant of \$25,890 for the Arts Council's LCC grant program.
34. Mayor's Request Requesting approval of an MCC grant of \$7,500 for the Arts Council's Books of Hope program.
35. Mayor's Request Requesting approval of an MCC grant of \$5,000 for the Arts Council's operations.
36. Mayor's
Communication Submitting the City's FY2012-2016 Capital Investment Plan.

COMMUNICATIONS OF CITY OFFICERS

37. Officer's
Communication Assistant City Solicitor submitting a revised Rodent Control Ordinance.
38. Officer's
Communication Assistant City Solicitor submitting a revised Nuisance Control Ordinance.

NEW BUSINESS

39. License/Permit Public Event Permit, Bicycle Committee's "Tour de Somerville" bike ride, Citywide, Oct 15 10-1PM (raindate Oct 16).

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| 40. | License/Permit | Public Event Permit, SomerStreets, Somerville Ave. from Washington St. to Beacon St., Oct 23, 10-6PM. |
| 41. | License/Permit | Public Event Permit, Recreation Commission's "Haunted House," 19 Walnut St., Oct 28-29, 4-9PM. |
| 42. | License/Permit | Public Event Permit, Hult International Business School Run in Blue Road Race, Mystic River area, Apr 22, 2012, 11AM. |
| 43. | License/Permit | New Drainlayer License, Vanaria Brothers. |
| 44. | License/Permit | New Drainlayer License, DeIulis Brothers. |
| 45. | License/Permit | Renewing Lodging House License, Delta Tau Delta Foundation of Tufts University, 98 Professors Row, 27 residents. |
| 46. | License/Permit | Renewing Lodging House License, Delta Upsilon Fraternity, 114 Professors Row, 23 residents. |
| 47. | License/Permit | Renewing Lodging House License, ATO Associates Inc., 134 Professors Row, 20 residents. |
| 48. | License/Permit | New Open Air Vendor License, Agassiz Preschool, 184 Summer St., selling Christmas trees and wreaths. |
| 49. | License/Permit | Sign/Awning Permit, Sally O'Brien's, 335 Somerville Ave., one awning. |
| 50. | License/Permit | Sign/Awning Permit, Laundromax, 630 Somerville Ave., one sign. |
| 51. | License/Permit | New Used Car Dealer License Class II, Mass Auto Brokers Inc., 631 Somerville Ave., 10 autos in, 5 out. |

SUPPLEMENTAL ITEMS

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| 52. | Mayor's Request | Requesting an appropriation of \$200,000 for additional renovations to the Public Safety Building and authorization to borrow \$200,000 in a bond to meet said appropriation. |
| 53. | Mayor's Request | Requesting acceptance of a \$10,120.20 grant from the Cambridge Health Alliance acting as agent for the MA Dept. of Public Health, for the Health Dept.'s tuberculosis prevention and control efforts. |
| 54. | Officer's Communication | Asst. City Solicitor submitting a proposed ordinance regarding Providing Reasonable Accommodation in the City's Land Use and Zoning and Building Regulations pursuant to the Fair Housing Laws. |

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| 55. | License/Permit | Public Event Permit, "Somerville Community Corporation Green Line Extension Now! Rally," High School Lawn, Oct 20, 6PM. |
| 56. | License/Permit | Renewing Outdoor Seating License, Amethyst Chiropractic Center, 259 Elm St., sandwich board. |
| 57. | License/Permit | New Used Car Dealer's License Class 2, Mass Auto Brokers, 631 Somerville Ave., 10 autos inside, 5 out. |

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk