

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

REGULAR MEETING AGENDA

September 26, 2013, 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,
 August 22, 2013.

CITATIONS

3. Citation By Ald. Connolly, and the Entire Board and the Mayor
 Commending Deputy Chief Paul Upton, who is retiring
 after 30 years of dedicated service in the Police Dept.
4. Citation By Ald. Heuston, Connolly, and the Entire Board and
 the Mayor
 Commending Robert Lyons, James Hodnett, John
 Sordillo, James King, Robert Trahan, John Mitchell,
 Paul MacKinnon, and Joseph Crowley, who are all
 retiring from the Fire Department after a combined 239
 years of dedicated service.

PUBLIC HEARINGS

5. Grant of Location Grant of Location submitted by Action Environmental
 Inc., for 2 monitoring wells near 13 Alpine St.
6. Grant of Location Grant of Location submitted by NStar Electric, for 40
 feet of conduit in Elmwood Street from a pole to 39
 Elmwood Street.
7. Grant of Location Grant of Location submitted by NStar Electric, for 81
 feet of conduit in Elmwood Street from a pole to 41
 Elmwood Street.
8. Grant of Location Grant of Location submitted by NStar Electric, for 30
 feet of conduit in Clyde Street from a point of pickup to
 25 Clyde Street.
9. Grant of Location Grant of Location submitted by NStar Electric, for 53
 feet of conduit in Cameron Avenue from a pole to 40
 Cameron Avenue.

10. Grant of Location Grant of Location submitted by NStar Electric, for 8 feet of conduit in Summer Street from a pole to 63 Summer Street.
11. Grant of Location Grant of Location submitted by NStar Electric, for 63 feet of conduit in Porter Street from a pole to 146 Hudson Street.
12. Grant of Location Grant of Location submitted by NStar Electric, for 36 feet of conduit in Dover Street from a pole to 82 Dover Street.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

13. Resolution By Ald. O'Keefe
That the Administration provide the Ward Aldermen with a timeline for all city-sponsored construction prior to the beginning of said projects.
14. Order Withdrawn.
15. Order By Ald. O'Keefe
That the Superintendent of Inspectional Services contact the owner of the Magoun Square Dunkin Donuts to address retaining wall and sidewalk issues.
16. Order By Ald. O'Keefe
That Commissioner of Public Works inspect and improve upon the lighting at the corner of Vernon and Lowell Streets, if necessary.
17. Resolution By Ald. Trane
That the Dedication Committee consider placing a sign at the intersection of Electric Avenue and Lovell Street to honor John Quinlan, a lifelong resident, WW II veteran and fire fighter.
18. Order By Ald. Trane
That the Director of Transportation and Infrastructure conduct a tree survey of Powderhouse Boulevard and produce a tree planting schedule that will maintain the current tree canopy.
19. Order By Ald. Trane, Gewirtz, Connolly
That the Director of Traffic and Parking conduct all necessary studies required to place a legal truck ban on Powderhouse Boulevard.

20. Order By Ald. Lafuente
That the Director of SPCD (ISD), the Director of Health and the Administration appear before this Board to report on their strategy to deal with the rodent epidemic being experienced in most parts of the city.
21. Order By Ald. Lafuente
That the Director of SPCD (ISD) appear before this Board to report on the mechanics of the city's rodent baiting strategy.
22. Order By Ald. Lafuente
That the Chief of Police maintain a regular police watch at the Winter Hill Market, at the corner of Wheatland Street and Broadway, for noise and illegal activity.
23. Order By Ald. Lafuente
That the Commissioner of Public Works repair the sidewalks on both sides of Thurston Street, between Broadway and Evergreen Avenue.
24. Resolution By Ald. Lafuente
That the Administration provide an update on the Winter Hill Star Market site since the resolution of the court case, and the next steps for this site.
25. Order By Ald. Lafuente
That the Chief Assessor develop a list of all absentee landlord property locations in Ward 4.
26. Order By Ald. Lafuente
That the City Solicitor inform this Board of the fee structure of fines on absentee landlord property violations and how they can be increased.
27. Order By Ald. Bastardi
That the Commissioner of Public Works notify the appropriate utility companies to have all double polls removed from Kensington Avenue and re-hang all low hanging wires.
28. Order By Ald. Bastardi
That the Commissioner of Public Works notify the appropriate utility companies to place the wires at the intersection of Broadway and Wisconsin Street underground, as they originally were.

29. Order By Ald. Bastardi
That the Director of SPCD (ISD) bait all sewers on Everett Avenue for rodents.
30. Order By Ald. Bastardi
That the Director of Traffic & Parking determine the feasibility of putting a STOP sign at the intersection of Pearl & Franklin Streets.
31. Order By Ald. Bastardi
That the Community Liaison for the East Broadway Streetscape Project notify all residents and businesses prior to sidewalk replacement, and have the contractor provide proper access to all driveways.
32. Order By Ald. Bastardi
That the Commissioner of Public Works replace the street lamps at the locations herein named.
33. Order By Ald. Connolly, Lafuente
That the Director of Traffic and Parking install a STOP or GO SLOW - CHILDREN sign at Evergreen Avenue and School Street.

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

34. CONFIRMATION OF APPOINTMENTS COMMITTEE

- A. Committee Report Report of the Committee on Confirmation of Appointments, meeting on September 26, 2013.

35. ENVIRONMENT AND ENERGY SPECIAL COMMITTEE

- A. Committee Report Report of the Special Committee on Environment and Energy, meeting on September 25, 2013.
- B. 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.
- C. Order By Ald. Taylor
That the Commissioner of Public Works investigate the use of a brine solution to treat public/private ways during inclement weather in winter.

- D. Order By Ald. Trane
That the Commissioner of Public Works make inquires on the purchase or lease of a snow melting machine and report back to the chair of Environment and Energy with cost projections.
- E. Order By Ald. Trane
That the Commissioner of Public Works provide the cost to haul snow to snow farms, and the number of trucks and operating hours used so far this winter.
- F. Order By Ald. Gewirtz
That the Environmental Programs Manager provide this Board with information on whether the City has applied for the Solarize MA grant program.
- G. Order By Ald. Gewirtz, and the Entire Board
That the Environmental Programs Manager submit a written report to this Board, within 7 days, on Somerville's involvement in the Earth Hour City Challenge.
- H. Order By Ald. Gewirtz
That the Environmental Programs Manager and the Director of SPCD report to this Board whether there is currently a city tax in place when residents want to install solar panels on their homes, and if so, work with this Board to eliminate or reduce it significantly.
- I. Officer's Communication Director of Sustainability and Environment submitting a description of activities under the Green Communities Grant (#195296).
- J. Resolution By Ald. Heuston, and the Entire Board
That this Board requests that the Administration enroll the City in the World Wildlife Fund's City Earth Challenge.

36. FINANCE COMMITTEE

- A. Committee Report Report of the Committee on Finance, meeting on September 18, 2013.
- B. Mayor's Request Requesting authorization to borrow \$500,000 in a bond, and appropriate the same amount, for ADA Accessibility - Curb Ramps improvements.

- C. Mayor's Request Requesting the acceptance of a grant of \$2,007,703.31 From the US Department of Housing and Urban Development for the Housing Division's Lead Hazard Reduction Demonstration Grant.
- D. Mayor's Request Requesting authorization to borrow \$150,000 in a bond, and appropriate the same amount, to purchase a compacting garbage truck and snow plow
- E. Mayor's Request Requesting the expenditure of \$1,110.47 of FY14 appropriations to pay six outstanding FY13 invoices in the Police Department.
- F. Mayor's Request Requesting approval to extend the Traffic and Parking Dept.'s Delinquent Collections Contract for one year.
- G. Mayor's Request Requesting acceptance of a \$23,562 grant from the Department of Justice, for the Police to purchase a Ford Transit Connect XLT Van.
- H. Mayor's Request Requesting acceptance of a \$22,030 grant from the MA Emergency Management Agency, for the Fire Dept. to enhance its disaster response.
- I. Mayor's Request Requesting approval of a \$19,175 grant from the MA Cultural Council for the Arts Council's ArtsUnion programming.
- J. Mayor's Request Requesting approval of a \$5,500 grant from the MA Cultural Council for the Arts Council's operations.

37. LAND USE COMMITTEE

- A. Committee Report Report of the Committee on Land Use, meeting in Joint Session with the Planning Board on September 18, 2013.

38. LAND USE COMMITTEE

- A. Committee Report Report of the Committee on Land Use, meeting on September 18, 2013.
- B. Mayor's Request Requesting that this Board adopt a zoning ordinance amending Sections 2.2 and 7.11.9.2 to separate supermarkets from the general retail and department store use and define these types of stores.
- C. Mayor's Request Requesting an amendment to the Zoning Ordinance with respect to Article 15, Linkage.

- D. Mayor's Request Requesting approval of an ordinance amending the Zoning Ordinance to add section 7.15 titled Medical Marijuana Treatment Facilities.
- E. Officer's Communication Planning Board conveying its recommendations re: #194513, a proposed zoning ordinance modifying Article 15: Linkage.
- F. Mayor's Request Requesting an amendment to the Zoning Ordinance amending the Zoning Map to place 9 Medford Street into the TOD100 Zoning District.
- G. Public Communication David Dahlbacka submitting comments re: #194060, a zoning amendment to permit a larger ground-floor supermarket at Assembly Square.
- H. Public Communication Fred Berman submitting comments re: #194060, a zoning amendment to permit a larger ground-floor supermarket at Assembly Square.
- I. Officer's Communication Planning Board conveying its recommendations re: #194338, a proposed zoning ordinance amending Sections 2.2 and 7.11.9.2 to separate supermarkets from the general retail and department store use.
- J. Officer's Communication Planning Board conveying its recommendations re: #195219, an ordinance amending the zoning map to change the zoning district of 9 Medford Street from Business-A to TOD-100.
- K. Officer's Communication Planning Board conveying its recommendations re: #195095 an ordinance amending the Zoning Ordinance to Add Section 7.15 titled Medical Marijuana Treatment Facilities.
- L. Officer's Communication Planning Board conveying its recommendations re: #194483, an ordinance amending the zoning map for Prospect Hill and Somerville Avenue.

39. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, meeting on September 25, 2013.
- B. Ordinance By Ald. Heuston, Desmond, and the Entire Board That the City adopt the attached Local Hiring Ordinance.

- C. Mayor's Request Requesting an amendment to the Local Historic District Map to create 1 new District (College Ave. Corridor of Faith) and add 1 property to that District, and to add 6 properties to the Hinckley-Magoun LHD, and 3 properties to the Winter Hill LHD (Group E remainder from #191744).
- D. Public Communication Green Cab requesting consideration from this Board and its Committees on Legislative Matters and Traffic and Parking for ways to facilitate taxi medallion financing.
- E. Mayor's Request Requesting the amendment of Ordinance 2-323 pursuant to the Municipal Compensation Advisory Board recommendations, with respect to the Board of Aldermen.
- F. Order By Ald. Desmond, O'Donovan, Connolly
That the City Solicitor and the Director of Health update this Board on any requirements, conditions or issues pertaining to any person seeking to open a marijuana distribution site.
- G. Officer's Communication City Solicitor responding to #193845 and #193968 re: medical marijuana.
- H. Public Communication Lynn Weissman submitting comments re: a gender-neutral name for this Board.
- I. Order By Ald. Taylor
That the Director of SPCD take steps to establish a historic designation for 197 Washington Street.
- J. Order By Ald. Sullivan, Trane, Heuston, Lafuente, O'Keefe
That the City Solicitor draft language to amend Article XV of Chapter 8 of the Code of Ordinances to grandfather vendors who operated as food truck vendors and held hawker and peddler licenses prior to the effective date of that Article.
- K. Resolution By Ald. Taylor
That the Historic Preservation Commission consider establishing a historic designation for 197 Washington Street.
- L. Ordinance By Ald. Lafuente
That this Board declares the property at 315 Broadway to be a Historic District and requests that the Historic Preservation Commission prepare a study on the establishment of the Historic District.

- M. Order By Ald. Bastardi
That the City Solicitor draft an ordinance that all commercial gas tank replacements require permit approval by this Board.
- N. Resolution By Ald. White Jr.
That the Administration present its thoughts on #194062, dealing with absentee landlord ordinances.

40. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. Committee Report Report of the Committee on Public Health and Public Safety, meeting on September 25, 2013.
- B. Order By Ald. Heuston
That the Director of SPCD and the Director of Health inspect properties at the intersection of Webster Avenue, Concord Avenue and Prospect Street, for a severe rodent problem and implement the same response as was used in Ward One.
- C. Order By Ald. Trane, Connolly, Desmond, White Jr., Sullivan
That the Director of SPCD (ISD) inspect 24-26 Ossipee Road for building, health and zoning code violations and take all necessary actions.
- D. Order By Ald. O'Donovan
That the Director of SPCD (ISD) inspect the rear of 495 Medford Street daily and cite the owner for violations, and that this Board's Committee on Public Health and Safety follow up.
- E. Order By Ald. Heuston
That the Director of SPCD (ISD) and the Director of Health provide a detailed plan for addressing increased rodent activity in the neighborhood of Washington and Calvin Streets and report back to the Ward 2 Alderman.
- F. Order By Ald. O'Keefe
That the Director of SPCD (ISD) bait the intersection of Wilton and Lowell Streets for rodents and ensure that all residents in the surrounding areas have covers on their trash barrels to prevent rat infestations.
- G. Order By Ald. Heuston
That the Director of SPCD (ISD) provide the Ward 2 Alderman with a plan for addressing rodent infestation in the areas of Beacon Street, Washington Street, Calvin Street and Waldo Avenue.

- H. Order By Ald. Taylor
That the Director of SPCD (ISD) bait all catch basins on Vinal Avenue in response to recent sightings of rodents.
- I. Order By Ald. Heuston
That the Director of SPCD (ISD) inspect 35 Adrian Street for all structural and health code violations, issue appropriate fines, contact the owner regarding remediation, and report back to the Ward 2 Alderman in writing.
- J. Order By Ald. Bastardi
That the Director of SPCD (ISD) and the Director of Health inspect 39 Pinckney Street and all abutting properties for rat infestation and the death of two pets due to rat poison.
- K. Order By Ald. Heuston
That the Director of Public Health and the Director of SPCD (ISD) inspect the Shaw's at 275 Beacon Street and report back to this Board on its findings and actions taken.
- L. Order By Ald. Gewirtz
That the Director of SPCD (ISD) bait Walker Street for rodents and distribute literature about the proper way to store trash and compost bins.
- M. Order By Ald. Sullivan, Bastardi
That the Director of SPCD (ISD) and the Director of Public Health utilize all means possible to combat the rodent infestation in the Florence Street neighborhood.
- N. Order By Ald. Sullivan, White Jr., Lafuente, Connolly, Desmond
That the Director of SPCD (ISD) review the rodent control plan for the construction of the Shore Drive pedestrian bridge which will access Assembly Square.
- O. Order By Ald. Bastardi
That the Director of SPCD (ISD) inform the Ward 1 Alderman of proactive rodent control measures being implemented. (2nd request.)

COMMUNICATIONS OF THE MAYOR

- 41. Mayor's Request Requesting an appropriation of \$75,375 from the Capital Projects Stabilization Fund for the purchase of Garbage and Recycling Barrels.
- 42. Mayor's Request Requesting the appointment of Police Sergeant Sean Sheehan to the position of Lieutenant.

COMMUNICATIONS OF CITY OFFICERS

NEW BUSINESS

- 43. License/Permit Public Event Permit, Women's Commission Domestic Violence Candlelight Vigil, Union Sq., Oct 2, 6-7PM.
- 44. License/Permit Public Event Permit, Redbones Oktoberfest, Chester Street from Elm to Herbert Sts., Oct 6, 7AM-6PM (raindate Oct 13).
- 45. License/Permit Public Event Permit, Hall Ave. Block Party, Oct 6, 2:30-7:30PM.
- 46. License/Permit Public Event Permit, Taza Chocolate Day of the Dead, 561 Windsor St., Nov 2, Noon-7PM (raindate Nov 3).
- 47. License/Permit Renewing Garage License, Inman Motors Sales, 463 McGrath Hwy.
- 48. License/Permit Renewing and Amending Used Car Dealer Class 2 License, Inman Motors Sales, 463 McGrth Hwy., increasing to 30 autos outside.
- 49. License/Permit New Fortuneteller License, Astrology Studio, 278 Elm St.
- 50. License/Permit New Outdoor Seating License, Astrology Studio, 278 Elm St., 1 A-Frame sign.

SUPPLEMENTAL ITEMS

- 51. Order By Ald. Sullivan
The this Board's Committee on Public Health and Safety review the city's enforcement of the prohibition of riding bicycles on sidewalks.
- 52. Resolution By Ald. White Jr.
That this Board supports the "Community Access Preservation Act" pending before the US Congress and co-sponsored by Congressman Capuano, and urges the entire MA Delegation to support it.
- 53. Mayor's Request Requesting an amendment to the Zoning Ordinance with respect to Article 15, Linkage.

- 54. Mayor's Request Requesting the transfer of \$3,184 from the Health Insurance Personal Services Account to the Life Insurance Personal Services Account to cover end of year reconciliation of flexible spending accounts.
- 55. Mayor's Request Requesting the use of FY14 funds to pay a FY13 Benefits Strategies invoice totaling \$3,183.73.
- 56. Mayor's Request Requesting acceptance of a grant of \$33,000 From the Cambridge Health Alliance for the Health Department to pursue programming to prevent opioid abuse.
- 57. Mayor's Request Requesting acceptance of a grant of \$21,785.57 from the Boston Office of Emergency Management, to expand the connectivity of the Emergency Operations Center within the Public Safety Building.
- 58. Mayor's Communication Submitting a Veto of #195490, a Livery License issued to Luxor Car Services, 29 Bailey Road, because such use is not permitted by the Zoning Ordinances.
- 59. Mayor's Communication Communicating the recommendation of the Powder House School Disposition Technical Advisory Committee and the Mayor's selection for the Preferred Developer for the Powder House Community School.
- 60. Mayor's Communication Communicating the unanimous vote of the MBTA Board of Directors approving a \$393,046,243.09 Inter-service Agreement regarding the Green Line Extension Project with White Skanska Kiewit.
- 61. License/Permit Public Event Permit, Columbia Pictures "Basic Math" Film Shoot, Tufts area, Sep 29 7AM-7PM, Sep 30 5AM-9PM.
- 62. License/Permit Public Event Permit, Honk! East Somerville, Chuckie Harris Park, Oct 11, 1-4PM.
- 63. License/Permit Public Event Permit, Run 4 A Cure 5K Road Race, Hodgkins Park and area streets, Nov 2, 11AM-1PM.
- 64. License/Permit Renewing Drainlayer's License, Sequoia Construction.
- 65. License/Permit Renewing Lodging House License, 114 Professors Row.
- 66. License/Permit Sign/Awning Permit, Mudflat Pottery School, 81 Broadway, 1 sign.
- 67. License/Permit Sign/Awning Permit, Mudflat Pottery School, 10 Bow Street, 1 sign.

68. Public Communication Hala Jadallah submitting comments re: #195247, a proposed zoning ordinance to change all CCD45 and CCD55 zoning districts in Ward 4 to RC zoning districts.

LATE ITEMS

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk