

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

REGULAR MEETING MINUTES

February 10, 2011, 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	
William M. Roche	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
Walter F. Pero	Ward Four Alderman	Present	
Sean T. O'Donovan	Ward Five Alderman	Present	
Rebekah Gewirtz	Ward Six Alderman	Present	
Robert C. Trane	Ward Seven Alderman	Present	

1. #190812 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

2. #190813 Approval of the Minutes of the Organizational Meeting on January 3, 2011,
Minutes and the Regular Meeting on January 13, 2011.

RESULT: APPROVED

CITATIONS

PUBLIC HEARINGS

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

3. #190814 By Ald. Sullivan, O'Donovan, Roche, Gewirtz, Heuston, Connolly
Order That the Commissioner of Public Works enforce the city's rules pertaining to people holding parking spaces with household items.

RESULT: APPROVED

4. #190815 Order By Ald. Sullivan, O'Donovan, Roche, Gewirtz, Heuston, Connolly
That the Commissioner of Public Works report to this Board how many parking space holders were confiscated this winter.

RESULT: APPROVED

5. #190816 Order By Ald. Pero
That the Director of Traffic and Parking post Resident Only parking signage on the public side of East Albion Street.

RESULT: APPROVED

6. #190817 Order By Ald. Roche
That the Chief of Police and the Director of Traffic and Parking determine if a public safety hazard or a quality of life issue exists with respect to the number and speed of vehicles entering Bonair Street from Dana Street, and if so, recommend an alternative traffic pattern.

RESULT: APPROVED

7. #190818 Order By Ald. Roche
That the Commissioner of Public Works fill pot holes along lower Broadway near Broadway Brake, and on Cross Street, and conduct a pot hole patrol on other Ward 1 streets.

RESULT: APPROVED

8. #190819 Order By Ald. Heuston
That the Director of Communications inform this Board of the process used to verify CTY messages regarding snow removal, including verifying the content with other city departments.

RESULT: APPROVED

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

9. FINANCE COMMITTEE

- A. #190820 Committee Report Report of the Committee on Finance, February 9, 2011.

RESULT: APPROVED

- B. #190075 Order By Ald. Heuston That the Director of Finance Provide This Board with Information Regarding Monthly and Quarterly Variance Reports by Department, or the Method by Which Actual Departmental Expenses Are Reconciled to the Budget on a Regular Basis.

RESULT: WORK COMPLETED

- C. #190547 Mayor's Request Requesting the acceptance of a grant of \$18,850 from the Dept. of Environmental Protection for the city's recycling program.

RESULT: APPROVED

- D. #190709 Mayor's Request Requesting acceptance of a grant of \$8,400 from the State Office of Public Safety to the Police Dept. for traffic enforcement.

RESULT: APPROVED

- E. #190710 Mayor's Request Requesting the expenditure of a grant of \$7,815 from the State Office of Public Safety and Security for the Fire Dept.'s SAFE Program.

RESULT: APPROVED

- F. #190782 Mayor's Request Requesting acceptance of a Sustainable Community Challenge Grant of \$1.8 million from the Dept. of Housing & Urban Development for several SPCD initiatives, including the Comprehensive Plan, Green Line planning, a rewrite of the zoning ordinance, streamlining the permitting process, and a land bank for affordable housing.

RESULT: APPROVED

- G. #190800 Mayor's Request Requesting acceptance of a donation of \$10,000 from Spectra Energy Transmission to support community-based projects involving the Dept. of Public Works.

RESULT: APPROVED

- H. #190801 Mayor's Request Requesting acceptance of a donation of \$5,000 from Powderhouse Productions to support community events, programs and other municipal initiatives.

RESULT: APPROVED

- I. #190821 Order By Ald. Gewirtz That the City Solicitor change the language of the SomerPromise Declaration of Trust to allow the President of this Board to appoint an Alderman as a Trustee of the Trust.

RESULT: APPROVED

10. LAND USE COMMITTEE

- A. #190822 Report of the Committee on Land Use, February 3, 2011.
Committee Report

RESULT: APPROVED

Item severed; Ald. White recused with respect to #190156.

- B. #188847 Requesting Approval to Amend in the Zoning Ordinances the Allowable
Mayor's Uses, Requirements for Special Permits, and Purpose Statements in IA and IP
Communication Zones.

RESULT: PLACED ON FILE

- C. #190156 Requesting approval of an Ordinance amending the Zoning Ordinance to
Mayor's Request amend the definition of Home Occupation and Historic Outbuilding, and
amend Article 7 Permitted Uses to create and allow a Historic Carriage
House Occupation with identified development standards in certain zoning
districts.

**RESULT: ORDINANCE ORDAINED BY ROLL CALL
[UNANIMOUS]**

AYES: Connolly, Desmond, Sullivan, Roche, Heuston, Taylor,
Pero, O'Donovan, Gewirtz, Trane

EXCUSED: William A. White Jr.

- D. #190157 Requesting approval of an Ordinance amending the Zoning Ordinance and
Mayor's Request revising the review process for Special Permits, Special Permits with Site
Plan Review, and Variances.

**RESULT: ORDINANCE ORDAINED BY ROLL CALL
[UNANIMOUS]**

AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston,
Taylor, Pero, O'Donovan, Gewirtz, Trane

- E. #190644 Requesting approval of two Grants of Easement for the Fire Dept. at 266
Officer's Request Broadway.

RESULT: APPROVED BY ROLL CALL [UNANIMOUS]

AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston,
Taylor, Pero, O'Donovan, Gewirtz, Trane

11. LEGISLATIVE MATTERS COMMITTEE

- A. #190823 Report of the Committee on Legislative Matters, February 8, 2011.
Committee Report

RESULT: APPROVED AS AMENDED

AMENDED: #190737 was referred back to the Legislative Matters Committee.

- B. #188396 Requesting Approval of a Home Rule Petition to Amend the City Charter to Bring it into Conformity with Current State Law and Streamline Enactment of Administrative Matters.
Mayor's Communication

RESULT: LAID ON THE TABLE

- C. #190737 Requesting approval of an amendment to the Ordinances at Chapter 12 regarding the Placement and Maintenance of News racks.
Mayor's Request

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Legislative Matters Committee

12. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. #190824 Report of the Committee on Public Health and Public Safety, February 8, 2011.
Committee Report

RESULT: APPROVED

- B. #190743 By Ald. White Jr.
Order That the Water Superintendent appear before this Board's Committee on Public Health and Public Safety to discuss the recent letter to city residents concerning the water supply.

RESULT: WORK COMPLETED

- C. #190750 By Ald. Gewirtz
Resolution That this Board requests that the Administration, the Police and this Board's Committee on Public Health and Safety coordinate with the National Empowerment Center on training police officers responding to situations involving people with mental illness.

RESULT: WORK COMPLETED

- D. #190752 Order By Ald. Roche
That the Chief Fire Engineer appear before this Board to report on any actions taken to avoid another situation with the fire hydrants like what happened on Fairfax Street.

RESULT: WORK COMPLETED

- E. #190759 Order By Ald. Connolly
That the Chief of Police advise this Board of the overall training goals for all management personnel and patrol officers for the balance of the fiscal year.

RESULT: WORK COMPLETED

- F. #190825 Resolution By Ald. Pero
That this Board requests that the Administration consider including the Police Department training program offered by the National Empowerment Center in the FY12 city budget.

RESULT: APPROVED

- G. #190826 Resolution By Ald. White Jr.
That this Board requests that the Administration examine the possibility of participating in a pilot program with the National Empowerment Center.

RESULT: APPROVED

13. TRAFFIC AND PARKING COMMITTEE

- A. #190827 Committee Report Report of the Committee on Traffic and Parking, February 8, 2011.

RESULT: APPROVED

- B. #190690 Order By Ald. Taylor
That the Commissioner of Public Works and the Director of Traffic and Parking evaluate the feasibility of placing a STOP sign at the intersection of Bow Street and Somerville Avenue (East).

RESULT: WORK COMPLETED

- C. #190687 Order By Ald. Heuston
That the Chief of Police monitor traffic on Webster Avenue from 7:30 to 9 AM Monday through Friday and cite motorists violating the red light or blocking traffic during school drop off times, and that the Chief of Police and the Director of Traffic and Parking determine the need for a police detail at the Charter School during drop off and pick up hours.

RESULT: WORK COMPLETED

14. YOUTH SERVICES COMMITTEE

- A. #190828 Report of the Committee on Youth Services, February 8, 2011.
Committee Report

RESULT: PLACED ON FILE

COMMUNICATIONS OF THE MAYOR

15. #190829 Requesting approval for this Board to convene in Executive Session to
Mayor's Request discuss pending litigation.

RESULT: APPROVED BY ROLL CALL [UNANIMOUS]
AYES: Connolly, Sullivan, White Jr., Roche, Heuston, Taylor,
Pero, Gewirtz, Trane
ABSENT: Bruce M. Desmond, Sean T. O'Donovan

This item was clarified to apply to litigation strategy re: 122 Line St. and 42 Cross St. The Board moved to Executive Session to address this item and item #29. The only vote taken in Executive Session was to adjourn. The Board then took action on #190893 and #190894 in open session.

16. #190830 Requesting the declaration of Harris Park and the adjacent Right of Way as
Mayor's Request available for disposition pursuant to G.L. c. 30B, s. 16.

RESULT: APPROVED BY ROLL CALL [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Heuston,
Taylor, Pero, O'Donovan, Gewirtz, Trane

17. #190831 Requesting a transfer of \$1,712 from the Salary Contingency Acct. to the
Mayor's Request Personnel Salaries Acct. to establish the position of Human Resources
Coordinator/Civil Service Manager.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

18. #190832 Requesting the appointment of Alan Bingham to the Historic Preservation
Mayor's Request Commission.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

19. #190833 Requesting the appointment of Natasha Burger to the Historic Preservation
Mayor's Request Commission.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

20. #190834 Requesting the appointment of Kelly Speakman to the Historic Preservation
Mayor's Request Commission.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

21. #190835 Requesting the appointment of Todd Zinn to the Historic Preservation
Mayor's Request Commission.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

22. #190836 Requesting the reappointment of Kevin Allen to the Historic Preservation
Mayor's Request Commission.

RESULT: APPROVED

23. #190837 Requesting the reappointment of Dick Bauer to the Historic Preservation
Mayor's Request Commission.

RESULT: APPROVED

24. #190838 Requesting the reappointment of Ryan Falvey to the Historic Preservation
Mayor's Request Commission.

RESULT: APPROVED

25. #190839 Requesting the re-appointment of Kellyann Binari to the Commission for
Mayor's Request Persons with Disabilities.

RESULT: APPROVED

26. #190840 Requesting the re-appointment of William Vienneau to the Commission for
Mayor's Request Persons with Disabilities.

RESULT: APPROVED

27. #190841 Mayor's Request Requesting the re-appointment of Theresa Baino to the Commission for Persons with Disabilities.

RESULT: APPROVED

28. #190842 Mayor's Request Requesting the re-appointment of Bette Serris to the Commission for Persons with Disabilities.

RESULT: APPROVED

COMMUNICATIONS OF CITY OFFICERS

29. #190843 Officer's Request City Clerk requesting approval to release certain Executive Session minutes as described within.

RESULT: APPROVED BY ROLL CALL [UNANIMOUS]
AYES: Connolly, Sullivan, White Jr., Roche, Heuston, Taylor, Pero, Gewirtz, Trane
ABSENT: Bruce M. Desmond, Sean T. O'Donovan

The Board moved to Executive Session to address this item and item #15. The only vote taken in Executive Session was to adjourn. The Board then APPROVED this item by voice vote in open session.

30. #190844 Officer's Request City Clerk requesting approval of his Public Official's Bond.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

31. #190845 Officer's Communication Traffic and Parking Director responding to various Board Orders.

RESULT: PLACED ON FILE

32. #190846 Officer's Communication Police Chief responding to various Board Orders.

RESULT: PLACED ON FILE

33. #190847 Officer's Communication SPCD Director responding to various Board Orders.

RESULT: PLACED ON FILE

NEW BUSINESS

34. #190848 License/Permit Public Event Permit, Maple Syrup Project Boil Down, Community Growing Center, Mar 4, 8:30-2:30P, Mar 5 10-2P.

RESULT: APPROVED

35. #190849 License/Permit Sign/Awning Permit, Eastern Bank, 256 Elm St., 1 sign, 1 projecting sign.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

36. #190850 Public Communication Jennifer Wilson submitting comments re: #190749, pet-friendly ice melt.

RESULT: PLACED ON FILE

37. #190851 Public Communication Joanna Hale submitting comments re: #190749, pet-friendly ice melt.

RESULT: PLACED ON FILE

38. #190852 Public Communication David Hale submitting comments re: #190749, pet-friendly ice melt.

RESULT: PLACED ON FILE

39. #190853 Public Communication Sarah Hall submitting comments re: #190749, pet-friendly ice melt.

RESULT: PLACED ON FILE

40. #190854 Public Communication Mariah Torpey submitting comments re: #190749, pet-friendly ice melt.

RESULT: PLACED ON FILE

41. #190855 Public Communication Jessica Moriarty submitting comments re: #190749, pet-friendly ice melt.

RESULT: PLACED ON FILE

42. #190856 Somerville Dog Owners Group submitting comments re: #190749, pet-friendly ice melt.
Public Communication

RESULT: PLACED ON FILE

SUPPLEMENTAL ITEMS

43. #190857 By Ald. Roche, and the Entire Board and the Mayor
Citation Commending Fred Caruso on the happy occasion of his 80th birthday.

RESULT: APPROVED

44. #190858 By Ald. Trane
Order That this Board's Committee on Public Utilities and Public Works request that NSTAR Gas appear before the Committee to discuss the condition of gas pipelines in the city and any preventive maintenance being performed.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

45. #190859 By Ald. Trane
Order That the Commissioner of Public Works submit to this Board the number of emergency street openings during the past 2 years for gas line repairs made by NStar.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

46. #190860 By Ald. Trane
Order That the Commissioner of Public Works have city personnel inspect the pipe at all emergency street openings for gas leaks, and report on the condition to this Board's Committee on Public Utilities and Public Works.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

47. #190861 By Ald. Trane
Order That the Commissioner of Public Works empty all of the city trash receptacles located in Teele Square.

RESULT: APPROVED

48. #190862 By Ald. Heuston, Taylor
Order That the Commissioner of Public Works schedule Washington, Beacon, Park, and Bow Streets, and areas of Union Square, for snow removal because parking, bus access and public safety is being compromised by the delay in removing the snow.

RESULT: APPROVED

49. #190863 Requesting the Appointment of David Fallon to the Position of Police
Mayor's Request Captain.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

50. #190864 Requesting the Appointment of William Rymill to the Position of Police
Mayor's Request Lieutenant.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

51. #190865 Requesting the Appointment of Michael Mulcahy to the Position of Police
Mayor's Request Lieutenant.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

52. #190866 Requesting the Appointment of Gerald Reardon to the Position of Police
Mayor's Request Lieutenant.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

53. #190867 Requesting the Appointment of David Monte to the Position of Police
Mayor's Request Sergeant.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

54. #190868 Requesting the Appointment of Jeffrey DiGregorio to the Position of Police
Mayor's Request Sergeant.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

55. #190869 Mayor's Request Requesting the Appointment of Richard Lavey to the Position of Police Sergeant.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

56. #190870 Mayor's Request Requesting the Appointment of Warren Chaille to the Position of Police Sergeant.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

57. #190871 Mayor's Request Request the appointment of Devin Schneider to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

58. #190872 Mayor's Request Request the appointment of Joseph Teves to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

59. #190873 Mayor's Request Request the appointment of Gravin Guillen to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

60. #190874 Mayor's Request Request the appointment of Mark Nevin to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

61. #190875 Mayor's Request Request the appointment of Christopher Collette to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

62. #190876 Mayor's Request Request the appointment of Michael Perrone to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

63. #190877 Mayor's Request Request the appointment of Ashley Catato to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

64. #190878 Mayor's Request Request the appointment of Jason Costa to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

65. #190879 Mayor's Request Request the appointment of Naza Haynes to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

66. #190880 Mayor's Request Request the appointment of Michael McCarey to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

67. #190881 Mayor's Request Request the appointment of Daniel Bourque to the position of Permanent Police Officer.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

68. #190882 Mayor's Request Requesting the Appointment of Nia DeYounge to the Arts Council.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

69. #190883 License/Permit New Livery License, Holiday Inn, 30 Washington St., 1 vehicle.

RESULT: APPROVED

LATE ITEMS

70. #190348 Mayor's Request Requesting approval to establish a Private-Purpose Trust Fund for the activities of the SomerPromise Program.

RESULT: REFERRED FOR RECOMMENDATION

Discharged from the Finance Committee, discussed, and returned to the Finance Committee.

FOLLOWUP: Finance Committee

71. #190884 Order By Ald. Roche
That this Board's Committee on Rules look into "administrative errors" that cause an agenda item to be considered "late" and therefore listed improperly on the agenda, and consider having them placed properly instead.

RESULT: APPROVED

FOLLOWUP: Rules Special Committee

72. #190885 Resolution By Ald. Gewirtz
That this Board requests that the Administration, in coordination with the appropriate state agency, conduct a complete and thorough investigation into the activities of the Council on Aging and it's Executive Director to determine if any wrongdoing has taken place, either financially or with respect to elders in need of services.

RESULT: APPROVED AS AMENDED

AMENDED: The Resolution above is substituted with the following:
That this Board supports the Mayor in conducting a thorough investigation of the allegations pertaining to the Council on Aging, and urges that the findings of this investigation be reported to the Senior Services Committee.

FOLLOWUP: Senior Services Committee

73. #190886 Mayor's Request Requesting the appointment of Patrick Sullivan to the position of Deputy Fire Chief.

74. #190887 Mayor's Request Requesting the appointment of Matthew Wall to the position of Fire Captain.
- RESULT: REFERRED FOR RECOMMENDATION**
- FOLLOWUP:** Confirmation of Appointments Committee
75. #190888 Mayor's Request Requesting the appointment of Elliot Kerner to the position of Fire Lieutenant.
- RESULT: REFERRED FOR RECOMMENDATION**
- FOLLOWUP:** Confirmation of Appointments Committee
76. #190889 Mayor's Request Requesting the appointment of Patrick Keane to the position of Fire Lieutenant.
- RESULT: REFERRED FOR RECOMMENDATION**
- FOLLOWUP:** Confirmation of Appointments Committee
77. #190890 Mayor's Request Requesting the appointment of Charles Richardson to the position of Fire Lieutenant.
- RESULT: REFERRED FOR RECOMMENDATION**
- FOLLOWUP:** Confirmation of Appointments Committee
78. #190891 Mayor's Request Requesting the appointment of Blanca Alcaraz to the Position of Fire Lieutenant.
- RESULT: REFERRED FOR RECOMMENDATION**
- FOLLOWUP:** Confirmation of Appointments Committee
79. #190892 Mayor's Request Requesting the acceptance of a grant of \$15,000 from Karl and Hannah Voskuil to the Public Library.
- RESULT: REFERRED FOR RECOMMENDATION**
- FOLLOWUP:** Finance Committee

80. #190893 Requesting approval to settle a claim as presented to this Board with respect
Mayor's Request to 122 Line St. in Executive Session on February 10, 2011.

RESULT: APPROVED BY ROLL CALL [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Taylor,
Pero, O'Donovan, Gewirtz, Trane
EXCUSED: Maryann M. Heuston

81. #190894 Requesting approval to settle a claim as presented to this Board with respect
Mayor's Request to 42 Cross St. in Executive Session on February 10, 2011.

RESULT: APPROVED BY ROLL CALL [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Roche, Taylor,
Pero, O'Donovan, Gewirtz, Trane
EXCUSED: Maryann M. Heuston

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk