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

REGULAR MEETING MINUTES

April 28, 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	Absent	
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. #191240 Call of the Roll. Roll Call

RESULT: PLACED ON FILE

2. #191241 Approval of the Minutes of the Regular Meeting, March 24, 2011.

Minutes

RESULT: APPROVED

CITATIONS

3.#191242
CitationBy Ald. Taylor, and the Entire Board and the Mayor
Commending David Salvi, who is retiring after 38 years of dedicated service
in the Fire Dept., including the last 25 years as Deputy Fire Chief.

RESULT: APPROVED

4. #191243 By Ald. Roche, and the Entire Board and the Mayor Citation Commending Saint Benedict Parish, on the happy celebration of their 100th year of religious and social ministry to the community.

RESULT: APPROVED

5.#191244By Ald. Roche, and the Entire Board and the MayorCitationCommending Sister Stephen Marie, in recognition of her years of dedicated
service to the parishioners and children of the St. Benedict community.

RESULT: APPROVED

 #191245
 Citation
 By Ald. Roche, Pero, Sullivan, White Jr., Desmond, Connolly, and the Entire Board and the Mayor
 Commending Robert McInnis, a lifelong Somervillian who has served our nation honorably in the US Marines, along with his son and grandson.

RESULT: APPROVED

PUBLIC HEARINGS

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

 7.
 #191246
 By Ald. Heuston

 Order
 That the Chief of Police place a speed board on Webster Avenue, just after the Cambridge city line, in front of the Union Place Condominium development.

RESULT: APPROVED

 8. #191247 By Ald. Heuston
 Order That the Commissioner of Public Works repair the street sign at the corner of Norfolk Street and Webster Avenue.

RESULT: APPROVED

9. #191248 By Ald. Heuston Order That the Commissioner of Public Works repair the pot hole at the intersection of Dane and Washington Streets.

RESULT: APPROVED

10.#191249By Ald. TaylorOrderThat the Commissioner of Public Works notify Verizon to remove the vacant
public phone stands on Highland Avenue at the entrance to the SHS Brune
Field House, and on Washington Street near Bonner Avenue.

RESULT: APPROVED

11.#191250By Ald. RocheOrderThat the Commissioner of Public Works coordinate the removal of graffiti
from the rear of the Boulter Plywood building at Broadway and Mt. Vernon
Street, and from the building between Mt. Pleasant and Caldwell Streets.

 12.
 #191251
 By Ald. Roche

 Order
 That the Commissioner of Public Works replace the damaged sidewalk

 panels on the even side of Mt. Vernon Street, from Broadway up to about

 #16.

RESULT: APPROVED

13.#191252By Ald. RocheOrderThat the Director of SPCD (ISD) inspect the property between Mt. Pleasant
and Caldwell Streets for debris around the building and for code compliance.

RESULT: APPROVED

14.#191253By Ald. RocheOrderThat the Animal Control Officer ensure that all dogs utilizing the city's dog
parks are properly licensed.

RESULT: APPROVED

15.#191254By Ald. RocheOrderThat the Commissioner of Public Works inspect and repair the lights on the
median on Broadway, from McGrath Highway to Sullivan Square.

RESULT: APPROVED

16.#191255By Ald. Sullivan, Roche, White Jr., Desmond, ConnollyOrderThat the Chief Fire Engineer advise this Board of any changes to the
allocation of fire apparatus due to the recent addition of the rescue truck.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

17. CONFIRMATION OF APPOINTMENTS COMMITTEE

A. #191256 Report of the Committee on Confirmation of Appointments, April 25, 2011. Committee Report

RESULT: APPROVED

B. #190784 Requesting the appointment of Scott Breaker as Constable. Mayor's Request

RESULT: APPROVED

C. #191086 Requesting the appointment of Tim Devin to the Arts Council. Mayor's Request

RESULT: APPROVED

D. #191088 Requesting the Re-Appointment of Joseph Collette as Constable. Mayor's Request

RESULT: APPROVED

E. #191232 Requesting the appointment of Sean Tierney to the position of Fire Captain. Mayor's Request

RESULT: APPROVED

18. FINANCE COMMITTEE

A. #191257 Report of the Committee on Finance, April 21, 2011. Committee Report

RESULT: APPROVED

19. LEGISLATIVE MATTERS COMMITTEE

A. #191258 Report of the Committee on Legislative Matters, April 27, 2011. Committee Report

RESULT: APPROVED

B. #190960 By Ald. Roche Order That the City Solicitor advise this Board on the process for increasing the number of Beer and Wine licenses in the city.

RESULT: WORK COMPLETED

C. #191029 Assistant City Solicitor providing an opinion re: #190578, proposed Officer's amendments to the Responsible Employer Ordinance.

RESULT: PLACED ON FILE

D. #191235 Assistant City Solicitor responding to #190960 re: Increasing the number of Officer's beer and wine licenses.

RESULT: WORK COMPLETED

E. #191259 By Ald. Taylor Resolution That this Board requests that the Administration work with the Chamber of Commerce on a Home Rule Petition to increase the number of beer and wine licenses.

RESULT: APPROVED

20. LICENSES AND PERMITS COMMITTEE

A. #191260 Report of the Committee on Licenses and Permits, April 20, 2011. Committee Report

RESULT: APPROVED AS AMENDED

AMENDED: #191184 is amended to permit 9 autos in, and 3 out, only.

B. #190984 Sign/Awning Permit, Broadway Dollar, 314 Broadway, 1 sign. License/Permit

RESULT: APPROVED

C. #191172 New Extended Operating Hours License, Gold's Gym, 14 McGrath Hwy., License/Permit operating continuously from Mon 5 PM to Fri 10PM (Sat-Sun, 7AM-7PM).

RESULT: APPROVED AS AMENDED

AMENDED: The petitioner is permitted to remain open 24 hours per day, 7 days per week.

D. #191173 Renewing Extended Operating Hours License, McDonald's Restaurant, 14 License/Permit McGrth Hwy., Operating 24/7.

RESULT: APPROVED

E.#191174Renewing Extended Operating Hours License, Domino's Pizza, 201 Elm St.,
Th to 1AM, Fr-Sa to 2AM for deliveries only.

RESULT: APPROVED

F.	#191175 License/Permit	Renewing Extended Operating Hours License, Dunkin Donuts, 282 Somerville Ave., Operating 24/7.	
		RESULT: APPROVED	
G.	#191176 License/Permit	Renewing Extended Operating Hours License, Cataldo Ambulance Service, 137 Washington St., Operating 24/7.	
		RESULT: APPROVED	
H.	#191177 License/Permit	Renewing Extended Operating Hours License, Moe's BBQ Trolley, Packard Ave. at Professors Row, Th-Sa to 3AM.	
		RESULT: APPROVED	
I.	#191178 License/Permit	Renewing Extended Operating Hours License, Tufts Tisch Library, 35 Professors Row, Sep-May, Su-Th to 1AM.	
		RESULT: APPROVED	
J.	#191179 License/Permit	Renewing Extended Operating Hours License, Tufts Mayer Campus Center, 44 Professors Row, Sep-May, Th-Sa to 2AM.	
		RESULT: APPROVED	
K.	#191184 License/Permit	New Garage License, Auto Mechanic Souza Inc., 308 McGrath Hwy., 12 autos in, 3 out.	
		RESULT: APPROVED AS AMENDED	
		AMENDED: The petitioner is licensed for 9 autos in, 3 out only.	
	COMMUNICATIONS OF THE MAYOR		
21.	#191261 Mayor's Request	Requesting that this Board convene in Executive Session to discuss a complaint brought against a city employee.	

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

No votes were taken in Executive Session.

22. #191262 Requesting acceptance of a grant up to \$25,000 from the Boston Mayor's Office of Emergency Management to the Fire Dept. for its participation in Operation Urban Shield.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

23. #191263 Requesting the appointment of Herbert Foster Jr. to the Zoning Board of Mayor's Request Appeals.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

24. #191264 Requesting the appointment of Berlin Haynes as Constable.

Mayor's Request

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

COMMUNICATIONS OF CITY OFFICERS

25. #191265 Director of Traffic and Parking responding to #191054 re: signage near the Officer's Webster Ave. bus stop, and #191055 re: pedestrian crossing signs in Ward 2. Communication

RESULT: PLACED ON FILE

26. #191266 Director of SPCD responding to various Board Orders. Officer's Communication

RESULT: PLACED ON FILE

NEW BUSINESS

27.#191267Public Event Permit, Friends of the Community Growing Center events, 22License/PermitVinal Ave., various dates and times from Apr 29 through Dec 10.

RESULT: APPROVED

28.#191268
License/PermitPublic Event Permit, Climate Ride Spinathon Fundraiser, Davis Sq. Statue
Park, May 1.

RESULT: APPROVED

29.#191269Public Event Permit, St. Benedict Church May Procession, St. Benedict area,
May 8.

 30. #191270 Public Event Permit, Somerville Allied Veterans Council Canning Drive, License/Permit Broadway at McGrath Hwy. and Broadway at Medford St., May 14-15, 21-22, 10AM-2PM.

RESULT: APPROVED

31.#191271Public Event Permit, SCC/AHOC Save Our Homes Walk, High SchoolLicense/PermitAtrium and area streets, May 15, 2-4PM.

RESULT: APPROVED

32.#191272Public Event Permit, Film Shoot for "Ted", 55 Davis Sq., May 18, 8AM-
License/Permit11PM.

RESULT: APPROVED

33.#191273Public Event Permit, Union Sq. Farmers Market, Union Sq. Plaza, Jun 4-OctLicense/Permit29, 7AM-2PM.

RESULT: APPROVED

34.#191274
License/PermitPublic Event Permit, Somerville Road Runners Summer Steamer Road Race,
118 Broadway, 173 Broadway and area streets, Jul 10, 9AM-Noon.

RESULT: APPROVED

35.#191275Public Event Permit, Somerville Pop Warner Canning Drive, Citywide, Aug
13 and Sep 24, 9AM-5PM.

RESULT: APPROVED

36. #191276 New Drainlayer's License, Nurotoco of MA dba Roto Rooter Services. License/Permit

RESULT: APPROVED

37. #191277 New Drainlayer's License, Greener Excavating LLC. License/Permit

RESULT: APPROVED

38. #191278 New Drainlayer's License, JA Connell Contracting Inc. License/Permit

39.#191279
License/PermitRenewing Flammables License, 120 Beacon St. LP, 120 Beacon St., 20,000
gallons.

RESULT: APPROVED

40.#191280
License/PermitRenewing Flammables License, Broadway Brake, 45 Broadway, 8,600
gallons.

RESULT: APPROVED

41. #191281 Renewing Flammables License, Cubby Oil Co., 20 Medford St., 16,800 gallons.

RESULT: APPROVED

42. #191282 Renewing Flammables License, Cumberland Farms, 212 Broadway, 32,800 gallons.

RESULT: APPROVED

43. #191283 Renewing Flammables License, Cumberland Farms, 701-709 Somerville License/Permit Ave., 25,000 gallons.

RESULT: APPROVED

44.#191284Renewing Flammables License, Drake Petroleum Co., 360 Medford St.,
24,210 gallons.

RESULT: APPROVED

45. #191285 Renewing Flammables License, General Glass and Mirror Corp., 231 Lowell License/Permit St., 1,000 gallons.

RESULT: APPROVED

46.#191286
License/PermitRenewing Flammables License, Grove St. Realty Trust, 48 Grove St., 500
gallons.

RESULT: APPROVED

47.#191287
License/PermitRenewing Flammables License, Hess #21521, 709 McGrath Hwy., 45,550
gallons.

48.#191288
License/PermitRenewing Flammables License, Parkway Sunoco, 395 Alewife Brook Pkwy.,
32,995 gallons.

RESULT: APPROVED

49.#191289Renewing Flammables License, Simon's Auto Service, 166 Boston Ave.,
18,150 gallons.

RESULT: APPROVED

50.#191290Renewing Flammables License, Souza Brothers Foreign Cars Service, 37License/PermitProspect St., 12,388 gallons.

RESULT: APPROVED

51.#191291Renewing Garage License, 120 Beacon St. LP, 120 Beacon St., 60 autos in,
20 out.

RESULT: APPROVED

52. #191292 Renewing Garage License, 429 Corp., 109-111 Prospect St., 5 autos in, 15 License/Permit out.

RESULT: APPROVED

53. #191293 Renewing Garage License, Auto Express, 712 Mystic Ave., 3 autos in, 7 out. License/Permit

RESULT: APPROVED

54.#191294Renewing Garage License, BBC Auto Repair, 483 Somerville Ave., 10 autosLicense/Permitin.

RESULT: APPROVED

55.#191295Renewing Garage License, Boston Sand and Gravel, 492 Rutherford Ave., 60License/Permitautos in.

RESULT: APPROVED

56.#191296Renewing Garage License, Brasil Auto Repair, 621 Somerville Ave., 2 autosLicense/Permitin.

57. #191297 Renewing Garage License, Broadway Brake, 45 Broadway, 3 autos in, 27 License/Permit out.

RESULT: APPROVED

58.#191298Renewing Garage License, Cataldo Ambulance Service, 4 Joy St., 6 autos in,
4 out.

RESULT: APPROVED

59.#191299Renewing Garage License, Century Tire, 263-269 Beacon St., 6 autos in, 4License/Permitout.

RESULT: APPROVED

60.#191300Renewing Garage License, Chicken and Shakes Automotive, 6A-6B Beach
License/PermitAve., 8 autos in.

RESULT: APPROVED

61. #191301 Renewing Garage License, City Auto Service, 13B Joy St., 2 autos in, 4 out. License/Permit

RESULT: APPROVED

62. #191302 Renewing Garage License, Domenic Fabrizio, 290R Somerville Ave., 2 autos in, 2 out.

RESULT: APPROVED

63. #191303 Renewing Garage License, GE & M Auto Service, 395 Alewife Brook License/Permit Pkwy., 3 autos in, 14 out.

RESULT: APPROVED

64. #191304 Renewing Garage License, Grove St. Realty Trust, 48 Grove St., 20 autos in. License/Permit

RESULT: APPROVED

65. #191305 Renewing Garage License, Hawkins St. Automotive Co., 3-9 Hawkins St., 4 License/Permit autos in, 8 out.

66.#191306Renewing Garage License, Inman Collision Center, 45 Webster Ave., 13License/Permitautos in, 4 out.

RESULT: APPROVED

67. #191307 Renewing Garage License, Inman Motor Sales, 121-123 Prospect St., 4 autos License/Permit in.

RESULT: APPROVED

68. #191308 Renewing Garage License, Lien's Auto Repairs, 65 Bow St., 2 autos in, 8 License/Permit out.

RESULT: APPROVED

69.#191309Renewing Garage License, Maaco Auto Painting, 444 Somerville Ave., 75License/Permitautos in.

RESULT: APPROVED

70.#191310Renewing Garage License, Mac's Auto Body, 53-55 Russell St., 10 autos in,
8 out.

RESULT: APPROVED

71.#191311Renewing Garage License, Metro Auto Repair, 47 Webster Ave., 14 autos in,
6 out.

RESULT: APPROVED

72. #191312 Renewing Garage License, Nippon Express, 30 Inner Belt Rd., 4 autos in. License/Permit

RESULT: APPROVED

73. #191313 Renewing Garage License, Pat's Auto Body, 13-19 Joy St., 22 autos in, 20 License/Permit out.

RESULT: APPROVED

74. #191314 Renewing Garage License, Pat's Auto Body, 161 Linwood St., 25 autos in. License/Permit

75. #191315 Renewing Garage License, Simon's Auto Service, 166 Boston Ave., 2 autos in, 2 out.

RESULT: APPROVED

76.#191316Renewing Garage License, Souza Brothers Foreign Car Service, 35-37License/PermitProspect St., 10 autos in.

RESULT: APPROVED

77.#191317Renewing Garage License, Trustees of Tufts College, 26 Lower Campus Rd.,
136 autos in.

RESULT: APPROVED

78.#191318
License/PermitRenewing Garage License, Unlimited Auto Body, 471 Somerville Ave., 3
autos in, 3 out.

RESULT: APPROVED

79.#191319Renewing Extended Operating Hours License, Hess Corp., 709 McGrath
Hwy., Operating 24/7.

RESULT: APPROVED

80.#191320
License/PermitRenewing Extended Operating Hours License, Wang's Fast Food, 509
Broadway, Su-Sa to 1AM.

RESULT: APPROVED

81.#191321Renewing Junk Dealer's License, Eddie's Furniture, 95 Elm St., Used
furniture.

RESULT: APPROVED

82.#191322
License/PermitRenewing Junk Dealer's License, La Chic Boutique LLC, 235A Elm St.,
Jewelry and clothing.

RESULT: APPROVED

83. #191323 Renewing Junk Dealer's License, Sunshine Lucy's, 93 Holland St., Used furniture.

84. #191324 Renewing Outdoor Parking License, Pat's Auto Body, 161 Linwood St., 63 License/Permit spaces.

RESULT: APPROVED

85. #191325 Renewing Outdoor Parking License, Pat's Auto Body, 24-30 Joy St., 100 License/Permit spaces.

RESULT: APPROVED

86.#191326Renewing Outdoor Parking License, Simon's Auto Service, 166 BostonLicense/PermitAve., 2 spaces.

RESULT: APPROVED

87.#191327
License/PermitRenewing Outdoor Parking License, Urban Equity Development Co., 55 Day
St. and 108-112 Dover St., 70 spaces.

RESULT: APPROVED

88.#191328Renewing Outdoor Parking License, Urban Equity Development Co., 7-9 and
11-13 Herbert St., 20 spaces.

RESULT: APPROVED

89.#191329
License/PermitRenewing Outdoor Seating License, Boston Burger Company, 37 Davis Sq.,
5 tables, 10 seats, 1 A-frame sign.

RESULT: APPROVED

90.#191330Renewing Outdoor Seating License, Crispy Crepe LLC, 51 Davis Sq., 5License/Permittables, 10 seats, 1 A-frame sign.

RESULT: APPROVED

91.#191331
License/PermitRenewing Outdoor Seating License, Diva Indian Bistro and Lounge, 246 Elm
St., 4 tables, 8 seats, 1 banner sign.

RESULT: APPROVED

92. #191332 Renewing Outdoor Seating License, Sally O'Brien's, 335 Somerville Ave., 4 License/Permit tables, 16 seats.

93. #191333 Renewing Outdoor Seating License, The Burren, 247 Elm St., 6 tables, 24 License/Permit seats.

RESULT: APPROVED

94. #191334 Renewing Outdoor Seating License, Yak and Yeti, 719 Broadway, 3 tables, 9 License/Permit seats, 1 A-frame sign.

RESULT: APPROVED

95. #191335 Renewing Pool Table License, Holiday Inn, 30 Washington St., 1 billiard table.

RESULT: APPROVED

96.#191336
License/PermitRenewing Used Car Dealers License Class 2, American Auto Gallery, 682
Mystic Ave., 2 autos in, 20 out.

RESULT: APPROVED

97.#191337Renewing Used Car Dealers License Class 2, Louis Frank Motorcars, 27License/PermitPorter St., 0 cars.

RESULT: APPROVED

98.#191338
License/PermitRenewing Taxi Medallion License, Ormond Transportation Inc., Med. #s 49,
50, 62, 89.

RESULT: APPROVED

99.#191339Renewing Taxi Medallion License, Silcor Transportation Inc., Med. #s 51,
52, 77, 93.

RESULT: APPROVED

100.#191340Renewing Taxi Medallion License, Alewife Transportation Inc., Med. #s 65,
69, 80.

RESULT: APPROVED

101.#191341Renewing Taxi Medallion License, Somerville Transportation Inc., Med. #sLicense/Permit70, 71.

102.#191342Renewing Taxi Medallion License, Eastern Transportation Inc., Med. #s 73,
License/Permit87, 90.

RESULT: APPROVED

103. #191343 Renewing Taxi Medallion License, WLEJ Inc., Med. # 76. License/Permit

RESULT: APPROVED

SUPPLEMENTAL ITEMS

104. #191344 Proclaiming April 28th, 2011, to be Somerville-Tiznit Sister City Celebration Mayor's Day. Communication

RESULT: PLACED ON FILE

105.#191345Requesting the transfer of \$43,838 from the Sanitation Recycling Acct. to the
School Custodians Professional & Technical Services Acct. to fund the
remaining portion of the AM/PM Cleaning Corp. contract.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

106.#191346Requesting an increase in the Dilboy Revolving Account Fund Expenditure
Mayor's RequestCap by \$40K to accomodate additional activity through FY11.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

107.#191347Requesting approval of the proposed HUD Action Plan for FY2011-2012,
Mayor's RequestMayor's Requestfeaturing a grant of \$3,610,801 in CDBG, HOME, and ESG funding.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

108. #191348 Requesting acceptance of a grant of up to \$12,400 from the Boston Mayor's Mayor's Request Office of Emergency Preparedness for Police Dept. participation in the Urban Shield exercise on May 22 - 23, 2011.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

109. #191349 City Treasurer responding to #191072 re: 82 Pearson Ave.

Officer's Communication

RESULT: PLACED ON FILE

110. #191350 Sign/Awning Permit, Subway #49185, 860 Broadway, 1 sign. License/Permit

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

LATE ITEMS

111.#191351Sixty registered voters submitting a "Proposed Ordinance to Ensure that
Development Financed with the Sale of DIF Bonds Yields Jobs for
Somerville Residents."

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk