

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

REGULAR MEETING MINUTES

January 13, 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	Absent	
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 L. Gewirtz	Ward Six Alderman	Present	
Robert C. Trane	Ward Seven Alderman	Present	

1. #190677 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

2. #190678 Approval of the Minutes of the Special Meeting of December 2, 2010, and
Minutes the Regular Meeting of December 9, 2010.

RESULT: APPROVED

CITATIONS

3. #190679 By Ald. Sullivan, Trane, the Entire Board
Citation Commending Rayberns for being a good Teele Sq. neighbor for 17 years.

RESULT: APPROVED

PUBLIC HEARINGS

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

4. #190680 Resolution By Ald. Gewirtz
That this Board offers its support for the City of Somerville becoming a “Runner Friendly Community” in the upcoming national contest sponsored by the Road Runners Club of America, on February 1, 2011.

RESULT: APPROVED

5. #190681 Order By Ald. Gewirtz
That this Board’s Committee on Rules convene to establish the Committee on Environment and Energy as a Standing Committee.

RESULT: APPROVED

FOLLOWUP: Rules Special Committee

6. #190682 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.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

7. #190683 Order By Ald. Heuston
That the Director of SPCD and the Commissioner of Public Works inform this Board on the feasibility, cost and funding sources to eliminate impervious surfaces on the city’s school playgrounds.

RESULT: APPROVED

FOLLOWUP: Parks and Open Space Special Committee

8. #190684 Order By Ald. Heuston
That the Manager of Capital Projects include in the design of the East Somerville School, pervious surfaces for areas which will not be landscaped, including play areas and parking areas.

RESULT: APPROVED

FOLLOWUP: Parks and Open Space Special Committee

9. #190685 Order By Ald. Heuston
That the Chief of Police and the Director of SPCD (ISD) create a plan to address noise issues at 26 Mansfield Street and 9 Ward Street.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

10. #190686
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.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

11. #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: APPROVED

FOLLOWUP: Traffic and Parking Committee

12. #190688
Order

By Ald. Heuston
That the Director of SPCD (ISD) inspect 23 Calvin Street for health and building code violations, including evidence of rodent infestation, and contact the property owner for immediate remediation.

RESULT: APPROVED

13. #190689
Order

By Ald. Taylor
That the Commissioner of Public Works replace the NOT A THROUGH STREET sign at the corner of Stone Avenue and Stone Place.

RESULT: APPROVED

14. #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: APPROVED

FOLLOWUP: Traffic and Parking Committee

15. #190691
Order

By Ald. Taylor
That the Commissioner of Public Works evaluate, and if needed, repair the sidewalk panels at the intersection of Central Street and Highland Avenue, in front of the YMCA parking lot, at the Cummings School basketball court on School Street, and at the corner of School and Summer Streets.

RESULT: APPROVED

16. #190692
Order
- By Ald. Roche, Sullivan
That the Director of SPCD work with the Chief Fire Engineer and the Ward One Alderman to ensure that the Broadway Streetscape plan allows for a simple and uninterrupted means of access for emergency vehicles servicing the streets in the Nunnery grounds area.

RESULT: APPROVED

17. #190693
Order
- By Ald. Roche, Sullivan
That the Commissioner of Public Works ensure that the two street lights on Skilton Avenue, along the tracks closest to 240 Pearl Street, are continually illuminated, and that the Chief of Police monitor the area on a regular basis, from dusk to dawn, for individuals gathered there.

RESULT: APPROVED

FOLLOWUP: Senior Services Committee

18. #190694
Order
- By Ald. Roche, Sullivan
That the Commissioner of Public Works and the Director of Communications direct all cable and phone companies to ensure that their service drops in Ward One are the proper height and aren't drooping, so they can't get pulled down by passing vehicles, and that the companies remove their lines once they're no longer used, and that the Ward One Alderman be kept informed of the progress of this request on a bi-weekly basis.

RESULT: APPROVED

19. #190695
Order
- By Ald. Roche, Sullivan
That the Commissioner of Public Works secure the NO U TURN sign at Hathorn Street and Broadway, as its spinning creates a potential public safety incident, and inspect the other NO U TURN signs along lower Broadway, from Cross Street to Mount Vernon Street, to ensure their integrity.

RESULT: APPROVED

20. #190696
Order
- By Ald. Roche, Sullivan
That the Chief of Police monitor traffic and cite motorists making illegal U-Turns on Broadway, from Cross Street to Mount Vernon Street.

RESULT: APPROVED

21. #190697 Order By Ald. Roche, Sullivan
That the Chief of Police inform this Board if the Mayor's public statement of the city's support of all immigrants includes eliminating the SPD's General Order 2009-11, which states in part that notification of the Immigration and Customs Enforcement Agency will only be authorized if a non-resident is arrested for murder, sexual offenses, narcotics trafficking, or other serious offenses. (2nd request)

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

22. #190698 Order By Ald. Roche
That the Commissioner of Public Works replace the two Sunnyside Avenue street signs and the STOP sign on corner of Sunnyside Avenue and Wigglesworth Street.

RESULT: APPROVED

23. #190699 Order By Ald. Pero
That the Commissioner of Public Works remove the snow and ice from the stairs between the Healey School and the Mystic neighborhood and take measures to ensure that they remain cleared.

RESULT: APPROVED

24. #190700 Resolution By Ald. Connolly, the Entire Board
That this Board requests that the Administration provide a mid-year report on the FY 2011 city budget, including an analysis of departmental spending, health insurance and overtime expenditures.

RESULT: APPROVED

FOLLOWUP: Finance Committee

25. #190701 Resolution By Ald. Connolly, Pero
That this Board requests that Governor Deval Patrick explain why Thomas Kelly, retired USN, Vietnam Veteran and Medal of Honor recipient, who has led the Commonwealth's Department of Veteran's Services under four governors, was not retained.

RESULT: APPROVED

26. #190702 Order By Ald. Connolly, Gewirtz
That the Commissioner of Public Works notify the appropriate utility company to repair the street lamp at the corner of Chapel and Chandler Streets.

RESULT: APPROVED

27. #190703 By Ald. Connolly, Gewirtz, Trane
Order That the Commissioner of Public Works repair the potholes on Broadway,
between Leonard Street and Packard Avenue, ASAP.

RESULT: APPROVED

UNFINISHED BUSINESS

28. #189954 Requesting the appointment of Thomas Pasquarello to the position of Chief
Mayor's Request of Police.

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

REPORTS OF COMMITTEES

29. 29. FINANCE COMMITTEE

- A. #190704 Report of the Committee on Finance, January 11, 2011.
Committee Report

RESULT: APPROVED

- B. #190161 Transferring \$30,000 from the DPW B&G Electricity Acct. to the Law Dept.
Mayor's Request Judgments/Settlement of Claims Acct.

RESULT: APPROVED

- C. #190235 Requesting approval to declare as Surplus Equipment a 1989 fire pumper in
Mayor's Request the Fire Dept.

RESULT: APPROVED

- D. #190236 Requesting acceptance of a grant of \$39,343 from the US Dept. of Justice's
Mayor's Request Justice Assistance Grant Program for the Police Dept. to purchase equipment.

RESULT: APPROVED

- E. #190237 Requesting acceptance of a grant of \$5,222 from Federal Realty Investment
Mayor's Request Trust for Police expenses associated with the Riverfest Fireworks on Sept.
25.

RESULT: APPROVED

- F. #190279 Requesting approval for a \$7,500 grant from the MA Cultural Council to the Mayor's Request Somerville Arts Council.

RESULT: APPROVED

- G. #190280 Requesting approval for a grant for \$ 25,890 from the MA Cultural Council for the Somerville Arts Council.

RESULT: APPROVED

- H. #190281 Requesting approval for \$4,500 grant from the MA Cultural Council to the Mayor's Request Somerville Arts Council.

RESULT: APPROVED

- I. #190287 Requesting approval of a contract for five years with incoming Police Chief Mayor's Request Thomas Pasquarello.

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

- J. #190327 Requesting approval to declare a 1994 Ford Crown Victoria in the Fire Dept. as a Surplus Vehicle.

RESULT: APPROVED

- K. #190385 Requesting the creation of the Rockwell Restaurant Group Stabilization Fund and acceptance of a mitigation payment to the fund of \$9,015 from the Mayor's Request Rockwell Restaurant Group, to purchase a multi-spaced parking meter.

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

- L. #190455 Requesting a transfer of \$15,341 from the Computer Equipment Acct. to the Mayor's Request IT Capital Outlay Acct. to purchase a Voice Recorder System for the Police Dept.

RESULT: APPROVED

- M. #190545 Requesting a transfer of \$45,000 from the Salary Contingency Acct. to the Mayor's Request Police Other Lump Sum Benefits Acct. to fund the Early Retirement Incentive Program for Police Superiors.

RESULT: APPROVED

- N. #190548 Mayor's Request Requesting acceptance of a 2010 All Traffic Solutions, Variable Message Board Trailer, valued at \$17,208, from the Urban Area Security Initiative Grant, for the Police Dept..

RESULT: APPROVED

- O. #190594 Mayor's Request Requesting the transfer of \$16,591 from the Workers Compensation Personal Services Acct. to the Somerstat Professional Services Acct. to procure training services for the LeaderSTAT Program.

RESULT: APPROVED

- P. #190614 Mayor's Request Requesting approval to expend a grant of \$10,000 from the American Health Association/American Stroke Association to the Health Dept. to promote physical activity and heart-healthy living.

RESULT: APPROVED

- Q. #190615 Mayor's Request Requesting approval to expend a grant of \$2,000 from the MA Region 4B Emergency Preparedness Office to the Health Dept. to support emergency preparedness.

RESULT: APPROVED

COMMUNICATIONS OF THE MAYOR

30. #190705 Mayor's Request Requesting the acquisition of three East Somerville parcels at 15-25 Cross Street East (Map 89, Block K, Parcels 14, 15, and 16) for a new Harris Park.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

31. #190706 Mayor's Request Requesting the appropriation of \$170,047 from the Receipts Reserved for Appropriation-Insurance Losses Acct. to DPW and Police Flood Costs Accts. to pay expenses related to the July 10, 2010 Flood.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

32. #190707 Mayor's Request Requesting the transfer of \$6,454 from the Water Enterprise Salary Contingency Acct. to the Water Enterprise Salaries Acct. to establish the position of Director of Administration & Finance, Water/Sewer Enterprise Funds.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

33. #190708 Mayor's Request Requesting the expenditure of \$2,891.39 of FY11 Appropriations to pay three outstanding FY10 invoices in the Police Dept.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

34. #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: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

35. #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: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

36. #190711 Mayor's Request Requesting authorization to enter into a street tree planting contract in excess of three years.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

37. #190712 Mayor's Request Requesting the re-appointment of Elizabeth Craveiro as City Treasurer & Collector of Taxes.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

COMMUNICATIONS OF CITY OFFICERS

38. #190713 Officer's Communication Director of SPCD responding to #189412 re: using CDBG funding for parking lot facades abutting public walkways.

RESULT: PLACED ON FILE

39. #190714 City Solicitor responding to #190434 re: Contacting NStar Electric to re-pave Officer's Bow Street. Communication

RESULT: PLACED ON FILE

NEW BUSINESS

40. #190715 New Drain Layer's License, D. Muzzioli Associates Inc. License/Permit

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

41. #190716 Renewing Bus Route, Joseph's Transportation Inc., Tufts to Davis Sq. route. License/Permit

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

42. #190717 Renewing Used Car Dealer's License Class 1, Riverside, 2 Union Sq., 85 License/Permit autos.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

43. #190718 Renewing Used Car Dealer's License Class 2, Riverside, 2 Union Sq., 2 License/Permit autos, 15 motorcycles.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

44. #190719 Renewing Used Car Dealer's License Class 2, Auto Brokers of Somerville, License/Permit 182 Washington St., 26 autos.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

45. #190720 Renewing Used Car Dealer's License Class 2, Automotive Transport Service, License/Permit 495 Columbia St., 10 autos in.

RESULT: REFERRED FOR RECOMMENDATION

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| | | FOLLOWUP: Licenses and Permits Committee |
| 46. | #190721
License/Permit | Renewing Used Car Dealer's License Class 2, Green Automotive Inc., 600 Windsor Place, 20 autos in. |
| | | RESULT: REFERRED FOR RECOMMENDATION |
| | | FOLLOWUP: Licenses and Permits Committee |
| 47. | #190722
License/Permit | Renewing Used Car Dealer's License Class 2, Pat's Auto Body Inc., 182 Washington St., 27 autos. |
| | | RESULT: REFERRED FOR RECOMMENDATION |
| | | FOLLOWUP: Licenses and Permits Committee |
| 48. | #190723
License/Permit | Renewing Used Car Dealer's License Class 2, Pat's Auto Body Inc., 161 Linwood St., 15 autos. |
| | | RESULT: REFERRED FOR RECOMMENDATION |
| | | FOLLOWUP: Licenses and Permits Committee |
| 49. | #190724
License/Permit | Renewing Used Car Dealer's License Class 2, Pat's Auto Body Inc., 308 McGrath Hwy., 12 autos. |
| | | RESULT: REFERRED FOR RECOMMENDATION |
| | | FOLLOWUP: Licenses and Permits Committee |
| 50. | #190725
License/Permit | Renewing Used Car Dealer's License Class 2, John's Auto Sales, 181 Somerville Ave., 38 autos. |
| | | RESULT: REFERRED FOR RECOMMENDATION |
| | | FOLLOWUP: Licenses and Permits Committee |
| 51. | #190726
License/Permit | Renewing Used Car Dealer's License Class 2, All Rite Collision LLC, 38-42 Medford St., 10 autos. |
| | | RESULT: REFERRED FOR RECOMMENDATION |
| | | FOLLOWUP: Licenses and Permits Committee |
| 52. | #190727
License/Permit | Renewing Used Car Dealer's License Class 2, Benny's Auto Sales, 508 Somerville Ave., 2 autos in, 8 out. |

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

53. #190728 License/Permit 2010 Renewing Used Car Dealer's License Class 2, Benny's Auto Sales, 508 Somerville Ave., 2 autos in, 8 out.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

54. #190729 Public Communication MA DOT presenting information about upcoming work on I-93: the I-93 Fast Fourteen Project.

RESULT: PLACED ON FILE

55. #190730 Public Communication 51 Registered Voters submitting a petition for a public hearing on KSS Realty Partners and the use of union labor at the MaxPac site.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Legislative Matters Committee

56. #190731 Public Communication Rep. Provost submitting a response to #190410 re: Winter Hill and MBTA Rt. 89 bus service.

RESULT: PLACED ON FILE

57. #190732 Public Communication MA Dept. of Public Health submitting a response to #190061 re: studying the health impacts of pollution from Rt. 93.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Public Health and Public Safety Committee

SUPPLEMENTAL ITEMS

58. #190733 Resolution By Ald. Roche
That this Board requests that the State Delegation notify the appropriate state agency to clear all state-controlled sidewalks of snow and ice, specifically on McGrath Highway from Pearl Street to Broadway.

RESULT: APPROVED

59. #190734 Mayor's Request Requesting authorization for the Superintendent of Schools to submit a Statement of Interest to the MA School Building Authority for the High School.

RESULT: APPROVED

60. #190735 Mayor's Request Requesting authorization for the Superintendent of Schools to submit a Statement of Interest to the MA School Building Authority for the Brown School.

RESULT: APPROVED

61. #190736 Mayor's Request Requesting authorization for the Superintendent of Schools to submit a Statement of Interest to the MA School Building Authority for the Winter Hill Community School.

RESULT: APPROVED

62. #190737 Mayor's Request Requesting approval of an amendment to the Ordinances at Chapter 12 regarding the Placement and Maintenance of News racks.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Legislative Matters Committee

63. #190738 Mayor's Request Requesting authorization to enter into a contract with City Solutions Inc. to operate a modular news rack program for 10 years.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

LATE ITEMS

64. #190667 Mayor's Request Requesting the appointments of Michael Cabral and Paul Upton as Deputy Chiefs of Police.

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

Discharged from the Confirmation of Appointments Committee.

65. #190546 Mayor's Request Requesting approval to enter into a lease agreement with Zipcar Inc. for 14 City parking spaces for a term of 3 years with two one-year options to renew.

RESULT: REFERRED FOR RECOMMENDATION

Discharged from the Finance Committee, discussed, then referred back to the Finance Committee.

FOLLOWUP: Finance Committee

66. #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, then referred back to the Finance Committee.

FOLLOWUP: Finance Committee

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk