

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

**REGULAR MEETING AGENDA**

October 14, 2010, 7:00 PM  
Aldermanic Chambers  
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**OPENING OF THE MEETING**

1. Roll Call                      Call of the Roll.
2. Minutes                      Approval of the Minutes of the Regular Meeting,  
September 7, 2010.

**CITATIONS**

3. Citation                      By Ald. O'Donovan, and the Entire Board and the  
Mayor  
  
Commending Sheriff James DiPaola, whose  
Community Work Program enabled the City Hall  
interior to be painted at no cost to the taxpayers.
4. Citation                      By Ald. Gewirtz, Trane, and the Entire Board and the  
Mayor  
  
Commending Mary Louise Daly, who is retiring after  
16 years of service as a member of the Affordable  
Housing Trust, on the happy occasion of her 90th  
birthday.

**PUBLIC HEARINGS**

5. Grant of Location      Grant of Location request submitted By NStar Electric,  
to install 200 feet of conduit in Middlesex Ave.
6. Grant of Location      Grant of Location request submitted By NStar Electric,  
to install 5 feet of conduit from a pole to 30 Newberne  
St.

**ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS**

7. Order                      By Ald. Pero  
  
That the Director of Traffic and Parking consider  
making the intersection of Evergreen Avenue and  
School Street a 4-way stop intersection, and consider  
installing pedestrian bump outs and/or raising the  
roadway to the level of the sidewalk.

8. Order By Ald. Heuston  
That the Clerk of Committees send communications to the City's Environmental Programs Manager and to the Commissioner of Public Works regarding the composting initiative at South Street and request that they apprise the Committee on Parks and Open Space of its progress.
9. Order By Ald. Taylor  
That the Director of Traffic and Parking check the timing of the pedestrian signal light from Bow Street to Somerville Avenue to ensure that pedestrians are able to cross the entire length of the roadway safely.
10. Order By Ald. Taylor  
That the Commissioner of Public Works place a decorative barrel at the bus stop in front of 117 Summer Street.
11. Order By Ald. Taylor  
That the Commissioner of Public Works address the drainage problems at Stone Place Playground.
12. Order By Ald. Taylor  
That the Director of SPCD (ISD) re-bait the Walnut Street area between Aldersey Street and Highland Avenue.
13. Order By Ald. Taylor  
That the Chief of Police increase patrols in the Vinal Avenue and Walnut Street neighborhoods between the hours of 9:00 PM and 1:00 AM.
14. Order By Ald. Gewirtz  
That the Director of SPCD provide the Committee on Parks and Open Space with the existing regulations governing runoff under the state standards.
15. Order By Ald. Gewirtz  
That the Commissioner of Public Works replace the torn up grass where the community path meets Buena Vista Road.

16. Resolution By Ald. Gewirtz, Taylor
- That this Board seeks input from stakeholders and the city on the implications of the denial of permitting for the 162 Highland Avenue property, and seeks to identify how this Board can work with the Affordable Housing Organizing Committee, the Somerville Community Corporation, and others to promote affordable housing initiatives citywide, particularly permanent housing for formerly homeless families.
17. Order By Ald. Trane, Desmond
- That the Director of SPCD investigate what funding is available for street scape improvements for the area of Broadway, at the Arlington line, and develop a plan to make said improvements.
18. Order By Ald. Trane
- That the Chief of Police conduct speed enforcement on Broadway, in the area of the Powerderhouse School.
19. Order By Ald. Trane, Connolly
- That the Commissioner of Public Works review the condition of the traffic light at the intersection of Packard Avenue and Broadway and determine the cost of replacing it, as this light continues to malfunction.
20. Resolution By Ald. Trane, Sullivan, Gewirtz, O'Donovan
- That this Board requests that the Administration investigate the availability of grant funding for electric car charging stations being offered by the state.
21. Order By Ald. Trane, White Jr.
- That the Commissioner of Public Works remove the remains of the damaged tree from the corner of North Street and Broadway and make any necessary sidewalk repairs.
22. Resolution By Ald. Connolly
- That this Board requests that the Traffic Commission consider re-instating the policy of providing free resident parking stickers for residents 60 years old and older.
23. Order By Ald. White Jr., Gewirtz
- That That the Director of Personnel, Robert Collins, Matthew Buckley, and the Chief Fire Engineer appear before this Board to explain why this Board was never informed of the MA Human Resources Dept. directive that Sean O'Brien be placed #1 on the Certification from which the City appointed 9 Reserve Firefighters.

24.      Order                      By Ald. White Jr., Gewirtz
- That the Director of Personnel establish for future hirings for the Police and Fire Reserve List, a procedure for a timely notification to all persons on the Certifications from the Human Resources Dept. that hiring for permanent police and fire positions will be made from the Reserve List, and inform this Board of such procedure.

**UNFINISHED BUSINESS**

**REPORTS OF COMMITTEES**

**25. CONFIRMATION OF APPOINTMENTS, OCTOBER 13, 2010**

- A.      Committee Report    Report of the Committee on Confirmation of Appointments, October 13, 2010
- B.      Mayor's Request       Requesting the appointment of Thomas Pasquarello to the position of Chief of Police.
- C.      Mayor's Request       Requesting the Appointment of Barbara Butler to the Commission for Persons with Disabilities.
- D.      Mayor's Request       Requesting the appointment of Peter McPhee to the Commission on Energy Use and Climate Change.
- E.      Mayor's Request       Requesting the re-appointment of Matthew Derany as Constable.

**26. FINANCE COMMITTEE, OCTOBER 6, 2010**

- A.      Committee Report    Report of the Committee on Finance, October 6, 2010

**27. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE, SEPTEMBER 27, 2010**

- A.      Committee Report    Report of the Committee on Housing and Community Development, September 27, 2010

**28. LEGISLATIVE MATTERS COMMITTEE, SEPTEMBER 28, 2010**

- A.      Committee Report    Report of the Committee on Legislative Matters, September 28, 2010
- B.      Officer's Request      Asst. City Solicitor requesting approval of an Exemption Under Section 20(D) of G. L. C. 268A for Denis J. Chagnon, a Special Municipal Employee.

**29. LEGISLATIVE MATTERS COMMITTEE, OCTOBER 5, 2010**

- A. Committee Report Report of the Committee on Legislative Matters,  
October 5, 2010
- B. Officer's Communication Asst. City Solicitor Submitting a Proposed Ordinance to  
Provide for Reasonable Accommodation in the Land  
Use and Zoning and Building Regulations Per the Fair  
Housing Laws.
- C. Order By Ald. Trane  
  
That the City Solicitor Draft an Ordinance Banning  
Text Messaging While Driving Within the City Limits  
of Somerville.
- D. Order By Ald. Taylor  
  
That the City Clerk send a communication to the  
Licensing Commission requesting that notice of  
applications for liquor and entertainment licenses be  
sent to neighbors when there is an expected impact on a  
neighborhood and that elected officials be notified of  
the process.

**30. LEGISLATIVE MATTERS COMMITTEE, OCTOBER 12, 2010**

- A. Committee Report Report of the Committee on Legislative Matters,  
October 12, 2010
- B. Mayor's Communication Requesting Approval of an Ordinance to Limit the  
Storage of Unregistered Vehicles.
- C. Board Communication By Ald. Gewirtz  
  
That the City Solicitor Provide This Board with  
Available Options to Sever the City's Contract with FW  
Russell Disposal in Light of Their Recent Violation of  
State Wage and Hour Laws.
- D. Board Communication By Ald. Connolly  
  
That the Legislative Matters Committee Invite F.W.  
Russell Co. to Appear to Discuss Recent Violations and  
the Attorney General's Findings.
- E. Order By Ald. Gewirtz  
  
That the Chief Assessor Inform This Board Why the  
City Cannot Accept Partial Payments from Residents  
for Excise Tax Bills, Especially in Circumstances that  
Make it Impossible for Them to Pay Entirely Upfront.

- F. Order By Ald. Gewirtz  
That the Commissioner of Public Works Provide This Board with the City Policy on Insect Infested Private Trees with Respect to Protecting Public Trees and Trees on the Private Property of Others.
- G. Mayor's Request Requesting approval of an Ordinance to add or amend provisions for vegetative overgrowth, hazardous trees, outdoor wood storage, inoperable vehicles, unregistered vehicles, and the storage of boats or recreational vehicles.

### **31. LICENSES AND PERMITS COMMITTEE, OCTOBER 6, 2010**

- A. Committee Report Report of the Committee on Licenses and Permits, October 6, 2010
- B. License/Permit New Used Car Dealer's License Class 2, Somerville Avenue Motors, 595 Somerville Ave., 18 autos out.
- C. License/Permit Renewing Garage License, Aris Auto Inc., 675 Somerville Ave., 3 autos in, 8 out.
- D. License/Permit Renewing Garage License, Executive Auto Body, 30 Medford St., 13 autos in.
- E. License/Permit Sign Permit, Los Paisamos Restaurant, 62 Broadway, Sign and awning.
- F. License/Permit Renewing Lodging House License, Delta Upsilon, 114 Professors Row.
- G. Order By Ald. Heuston  
That the Director of SPCD (ISD) inspect 45-47-49 Webster Avenue to determine how many businesses are operating there.

### **32. PARKS AND OPEN SPACE SPECIAL COMMITTEE, SEPTEMBER 27, 2010**

- A. Committee Report Report of the Special Committee on Parks and Open Space, September 27, 2010
- B. Board Communication By Ald. Gewirtz  
That the Director of SPCD Prepare a Cost Estimate for Creating a Dog Park at Dilboy Field and Report on Same at the Next Meeting of the Committee on Parks and Open Space.

- C. Board Communication By Ald. Heuston  
That the Executive Director of the Office of Strategic Planning and Community Development (Parks and Open Space) and the Superintendent of Recreation Meet with the Ward 2 Alderman Regarding the Uses and Regulations of the Various Fields and Playgrounds at Lincoln Park for Residents.
- D. Board Communication By Ald. Gewirtz, Heuston  
That This Board of Aldermen, in Conjunction with the Administration, Form a Task Force Called the “Green Community and Open Space Initiative” with the Intent of Increasing Open and Green Space in the City, Reducing Storm Water Runoff, Providing Incentives for Residents and Business Owners to Make Improvements on Their Property that Would Benefit the Community and Reduce Our Community’s Impact on the Environment.
- E. Board Communication By Ald. Gewirtz, Heuston  
That This Board of Aldermen Hereby Requests that the Administration Launch a Voluntary Composting Program, Which Would Save the City Financially on Our Trash Contract and Provide a Public Service by Allowing Residents to Bring Their Composted Materials to the Department of Public Works.
- F. Order By Ald. Gewirtz  
That the Environmental Programs Manager Provide This Board with an Update on the Initiation of a Voluntary Composting Program.
- G. Mayor’s Request Requesting Approval of Amendments to the 2008-2013 Open Space & Recreation Plan, to Extend the Effective Date of the Plan to 2015.

### **33. TRAFFIC AND PARKING COMMITTEE, OCTOBER 13, 2010**

- A. Committee Report Report of the Committee on Traffic and Parking, October 13, 2010
- B. Board Communication By Ald. Heuston  
That the City Solicitor, in Consultation with the Director of Traffic and Parking, Include Clark Street in the Consideration of Zoned Parking Areas, (As Referenced in Item #188924 on March 11, 2010), Since Residents Have Difficulty Parking Due to the Pick Up and Drop Off at the Argenziano School.

- C. Board Communication By Ald. Gewirtz  
That the Director of Traffic and Parking Provide the Ward 6 Alderman with Road Closing Plans in Advance of Major Road Races in Davis Square to Maximize Notification to Residents and to Ensure that Only the Most Limited Number of Streets Are Impacted.
- D. Board Communication By Ald. Gewirtz  
That the City Traffic Engineer Initiate a Study to Reduce Traffic on College Avenue, from the Powderhouse Rotary to Davis Square, at the Same Time as Bicycle Symbols Are Installed on Both Sides of the Street Next Month.
- E. Officer's Communication Response to Board Order 188924 - Opinion Regarding Parking Restrictions Per District
- F. Officer's Communication Response to Order No. 188927-Issuing Tickets to Violators Illegally Parked in HP Spots
- G. Board Communication By Ald. O'Donovan  
That This Board of Aldermen Hereby Requests that the Administration Forward the Parking Solutions Task Force Findings to the Ward 5 Alderman and Place All Data on the City's Website Immediately Upon Completion.
- H. Board Communication By Ald. O'Donovan  
That This Board of Aldermen Hereby Requests that the Administration Relax All Newly Instituted Traffic and Parking Initiatives in Magoun Square Until the Green Line Arrives in 2015 as the Initiatives Are Devastating Magoun Square's Business Strength.
- I. Board Communication By Ald. O'Donovan  
That the Director of Traffic and Parking and the City Auditor Provide the Ward 5 Alderman with the Figures for All Monthly Ticket Revenues from Magoun Square, for the Last Two Years, Before the Next Board of Alderman Meeting on April 22, 2010.
- J. Board Communication By Ald. O'Donovan  
That the Director of Traffic and Parking Consider Implementing Measures to Alleviate the Negative Impact the New Traffic Regulations Have Had on the Businesses of Magoun Square.



- K. Board Communication By Ald. O'Donovan  
That This Board of Aldermen Hereby Requests that the Administration and the Parking Solutions Task Force Remove from Its Mission the Combining of Davis and Magoun Squares in Its Considerations and Deliberations on Traffic and Parking Changes, as Magoun Square is Suffering Desperately from Their Belief that Magoun and Davis Square Share Any Similarities, Especially the Notion of 10:00 PM Parking Meters.
- L. Board Communication By Ald. Sullivan, Roche, Taylor, White Jr., Desmond, Connolly  
That This Board of Aldermen Hereby Requests that the Administration Develop and Implement a Public Safety Campaign to Encourage Bicyclists to Stop Riding on the Sidewalks in Business Districts.
- M. Board Communication By Ald. O'Donovan  
That the Commissioner of Public Works Place a ONE WAY Sign on Aberdeen Road at the Bend that Leads to Highland Avenue.
- N. Board Communication By Ald. O'Donovan  
That the Chief of Police Place an Unmarked Cruiser on Aberdeen Road, Near Highland Avenue, Weekdays to Apprehend Motorists Violating the One-Way Street Posting.
- O. Order By Ald. Gewirtz  
That the Chief of Police Assign an Officer at the Corner of Kidder and College Avenues Once a Week Between 7:00 and 9:00 AM to Enforce the NO LEFT TURN Restriction at that Intersection; AND BE IT FURTHER ORDERED that After One Month, a Report be Generated and Provided to This Board Indicating How Significant This Problem Is.
- P. Order By Ald. Gewirtz  
That the Director of Traffic and Parking Examine the Feasibility of Creating a New Parking Permit in Somerville for Vanpool License Plates.
- Q. Order By Ald. Gewirtz  
That the Director of Traffic and Parking Ensure that All Traffic Laws Are Being Enforced Equally and Fairly in Ball Square and Provide a Report to the Ward 6 Alderman Indicating Any Inconsistencies in Enforcement.

- R. Resolution By Ald. Gewirtz  
That This Board Requests that the Administration Coordinate with the Ward 6 Alderman, Another Meeting with the Leaseholders of the Buena Vista Garage in Davis Square to Determine the Feasibility of Creating Additional Parking on Friday and Saturday Nights.
- S. Resolution By Ald. Taylor  
That this Board requests that the Administration update this Board on the establishment of raised traffic calming tables on designated public ways.
- T. Order By Ald. Trane, Roche  
That the Director of Traffic and Parking Inventory All City Designated Handicapped Parking Spaces in the City and Provide a Map of Same on the City's Website So that Drivers May Easily Locate Them When Traveling in the City.
- U. Order By Ald. O'Donovan  
That the Director of Traffic and Parking install STOP signs on Kidder Avenue at Josephine Avenue.

#### **COMMUNICATIONS OF THE MAYOR**

34. Mayor's Request Requesting approval to pay 3 prior year invoices totalling \$1,390.48 in the Personnel Dept.
35. Mayor's Request Requesting approval to declare as Surplus Equipment a 1989 fire pumper in the Fire Dept.
36. Mayor's Request Requesting acceptance of a grant of \$39,343 from the US Dept. of Justice's Justice Assistance Grant Program for the Police Dept. to purchase equipment.
37. Mayor's Request Requesting acceptance of a grant of \$5,222 from Federal Realty Investment Trust for Police expenses associated with the Riverfest Fireworks on Sept. 25.
38. Mayor's Request Requesting acceptance of a gift of a used ambulance from Professional Ambulance Co. for the Auxiliary Fire Dept.

#### **COMMUNICATIONS OF CITY OFFICERS**

39. Officer's Communication Traffic and Parking Director responding to various Board Orders.
40. Officer's Communication SPCD Director responding to #189612 re: Grant funding for tree root removal.

41. Officer's Communication SPCD Director responding to #'s 190096 and 190097 re: Updates on the Green Line Extension and Maintenance Facility.
42. Officer's Communication SPCD Director responding to #189717 re: Coordination of Sullivan Square signal timings.
43. Officer's Communication SPCD Director responding to #189786 re: the disposal of trash in Teele Square by food vendors.
44. Officer's Communication SPCD Director responding to #189596 re: Maintainance of NStar's Chestnut and Poplar Streets property.
45. Officer's Communication SPCD Director responding to #189678 re: McGoeghan Waste Company's adherence to the all ordinances for the emptying of trash dumpsters.

### **NEW BUSINESS**

46. License/Permit Public Event Permit, Redbones HonkFest Party, Chester St. from Elm to Herbert Sts., Oct 9, 10AM-9PM.
47. License/Permit Public Event Permit, Holy Bible Baptist Church Dedication Celebration, Chapel St. and a portion of College Ave. at 64 College Ave., Oct 24, 10-11AM.
48. License/Permit Public Event Permit, SomerStreets, Somerville Ave. from Bow St. to Beacon St., Oct 24, 10AM-5PM.
49. License/Permit Public Event Permit, Halloween Howl family friendly concert, Davis Sq., Oct 29, 6-10PM.
50. License/Permit Public Event Permit, School St. Block Party, Landers St., Oct 31, 12-5PM.
51. License/Permit Public Event Permit, Somerville Pride Canning Drive, Citywide, Nov 13, 8AM-2PM.
52. License/Permit Renewing Flammables License, Cubby Oil Co., 20 Medford St., 16,800 gallons.
53. License/Permit New Drainlayers License, NorthEast Landscape Materials (NELM) Corp.
54. License/Permit Sign/Awning Permit, Diva Indian Bistro and Lounge, 246 Elm St.,
55. License/Permit Renewing Garage License, Chris's Auto Service, 371 Highland Ave., 3 autos in, 10 out.
56. License/Permit Renewing Garage License, Somerville Auto Transport Service, 495 Columbia St., 12 autos.

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| 57. | License/Permit       | Renewing Garage License, NStar Electric and Gas Corp., 20 autos in.                          |
| 58. | License/Permit       | Renewing Garage License, Neeka Inc. dba Manny's Auto Center, 463 McGrath Hwy., 2 autos in.   |
| 59. | License/Permit       | Renewing Garage License, Autosal, 444R Somerville Ave., 15 autos in.                         |
| 60. | License/Permit       | Renewing Garage License, Rodriguez Auto Repair, 64 Joy St., 10 autos in.                     |
| 61. | Public Communication | Rep. Provost conveying comments re: the Green Line Extension State Implementation Plan.      |
| 62. | Public Communication | MBTA Legislative Liaison Foley responding to #189876 re: Overgrowth at the Davis Sq. busway. |
| 63. | Public Communication | Grace Kessenich submitting comments re: the Union Sq. DIF.                                   |
| 64. | Public Communication | Bradford Johnson submitting comments re: the Union Sq. DIF.                                  |
| 65. | Public Communication | Ruth Nunnally submitting comments re: the Union Sq. DIF.                                     |
| 66. | Public Communication | Kate Wheeler submitting comments re: the Union Sq. DIF.                                      |
| 67. | Public Communication | Lori Johnston submitting comments re: the Union Sq. DIF.                                     |
| 68. | Public Communication | Jeff Levine submitting comments re: the Union Sq. DIF.                                       |
| 69. | Public Communication | David Scott submitting comments re: the Union Sq. DIF.                                       |
| 70. | Public Communication | Tom Marchese submitting comments re: the Union Sq. DIF.                                      |
| 71. | Public Communication | Barry Rafkind submitting comments re: the Union Sq. DIF.                                     |
| 72. | Public Communication | Michael Chiu submitting comments re: the Union Sq. DIF.                                      |

**LATE ITEMS**

73. Order By Ald. Connolly, Gewirtz  
That the Commissioner of Public Works clean the catch basins at Pearson Road and Warner Street, ASAP.
74. Order By Ald. Connolly, Gewirtz  
That the Commissioner of Public Works remove the dead tree in front of 25 Warner Street.
75. Order By Ald. Roche  
That the Commissioner of Public Works repair the depression in the road, opposite 20 Dell Street.
76. Order By Ald. Roche  
That the Commissioner of Public Works replace the sidewalk panels at 58-60 Allston Street.
77. Order That the Director of SPCD (ISD) determine the average above ground distance of commercially available firewood holders.
78. Resolution By Ald. Trane  
That this Board requests that the Administration consider a special holiday period to reduce the operational time of parking meters to allow residents to shop in the city.
79. Mayor's Request Requesting approval for a \$7,500 grant from the MA Cultural Council to the Somerville Arts Council.
80. Mayor's Request Requesting approval for a grant for \$ 25,890 from the MA Cultural Council for the Somerville Arts Council.
81. Mayor's Request Requesting approval for \$4,500 grant from the MA Cultural Council to the Somerville Arts Council.
82. Mayor's Request Requesting the appointment of Angela Allen as Purchasing Director.
83. Mayor's Request Requesting the reappointment of Humphrey Moynihan to the Board of Assessors.
84. Mayor's Request Requesting approval of a gift from Tufts University of gym machines, valued at \$2,000, for the Somerville High School.
85. Mayor's Request Requesting approval of an amendment to Ordinance 9-57 for provisions related to inoperable vehicles, unregistered vehicles, storage of boats, trailers, or recreational vehicles, and associated fines.

- 86. Mayor's Request Requesting an amendment to Ordinance 9-56 regarding vegetative overgrowth, hazardous trees, and outdoor wood storage, and associated fines.
- 87. Mayor's Request Requesting approval of a contract for five years with incoming Police Chief Thomas Pasquarello.
- 88. Mayor's Request Requesting an appropriation of \$300,000 from Receipts Reserved for Appropriation-Insurance Losses (Fund 3204) to DPW Flood Costs (Fund 5059) to pay for expenses related to the July 10, 2010, flood.

## **ADJOURNMENT**

### **Adjournment**

Submitted by John J. Long, City Clerk