

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

REGULAR MEETING AGENDA

April 28, 2011, 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, March 24, 2011.

CITATIONS

3. Citation By 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.

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

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

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

PUBLIC HEARINGS

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

7. Order By Ald. Heuston
 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.

8. Order By Ald. Heuston
That the Commissioner of Public Works repair the street sign at the corner of Norfolk Street and Webster Avenue.
9. Order By Ald. Heuston
That the Commissioner of Public Works repair the pot hole at the intersection of Dane and Washington Streets.
10. Order By Ald. Taylor
That 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.
11. Order By Ald. Roche
That 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. Order By Ald. Roche
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.
13. Order By Ald. Roche
That the Director of SPCD (ISD) inspect the property between Mt. Pleasant and Caldwell Streets for debris around the building and for code compliance.
14. Order By Ald. Roche
That the Animal Control Officer ensure that all dogs utilizing the city's dog parks are properly licensed.
15. Order By Ald. Roche
That the Commissioner of Public Works inspect and repair the lights on the median on Broadway, from McGrath Highway to Sullivan Square.
16. Order By Ald. Sullivan, Roche, White Jr., Desmond, Connolly
That 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.

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

17. CONFIRMATION OF APPOINTMENTS COMMITTEE

- A. Committee Report Report of the Committee on Confirmation of Appointments, April 25, 2011.
- B. Mayor's Request Requesting the appointment of Scott Breaker as Constable.
- C. Mayor's Request Requesting the appointment of Tim Devin to the Arts Council.
- D. Mayor's Request Requesting the Re-Appointment of Joseph Collette as Constable.
- E. Mayor's Request Requesting the appointment of Sean Tierney to the position of Fire Captain.

18. FINANCE COMMITTEE

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

19. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, April 27, 2011.
- B. Order By Ald. Roche
That the City Solicitor advise this Board on the process for increasing the number of Beer and Wine licenses in the city.
- C. Officer's Communication Assistant City Solicitor providing an opinion re: #190578, proposed amendments to the Responsible Employer Ordinance.
- D. Officer's Communication Assistant City Solicitor responding to #190960 re: Increasing the number of beer and wine licenses.
- E. Resolution By Ald. Taylor
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.

20. LICENSES AND PERMITS COMMITTEE

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

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| B. | License/Permit | Sign/Awning Permit, Broadway Dollar, 314 Broadway, 1 sign. |
| C. | License/Permit | New Extended Operating Hours License, Gold's Gym, 14 McGrath Hwy., operating continuously from Mon 5 PM to Fri 10PM (Sat-Sun, 7AM-7PM). |
| D. | License/Permit | Renewing Extended Operating Hours License, McDonald's Restaurant, 14 McGrth Hwy., Operating 24/7. |
| E. | License/Permit | Renewing Extended Operating Hours License, Domino's Pizza, 201 Elm St., Th to 1AM, Fr-Sa to 2AM for deliveries only. |
| F. | License/Permit | Renewing Extended Operating Hours License, Dunkin Donuts, 282 Somerville Ave., Operating 24/7. |
| G. | License/Permit | Renewing Extended Operating Hours License, Cataldo Ambulance Service, 137 Washington St., Operating 24/7. |
| H. | License/Permit | Renewing Extended Operating Hours License, Moe's BBQ Trolley, Packard Ave. at Professors Row, Th-Sa to 3AM. |
| I. | License/Permit | Renewing Extended Operating Hours License, Tufts Tisch Library, 35 Professors Row, Sep-May, Su-Th to 1AM. |
| J. | License/Permit | Renewing Extended Operating Hours License, Tufts Mayer Campus Center, 44 Professors Row, Sep-May, Th-Sa to 2AM. |
| K. | License/Permit | New Garage License, Auto Mechanic Souza Inc., 308 McGrath Hwy., 12 autos in, 3 out. |

COMMUNICATIONS OF THE MAYOR

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| 21. | Mayor's Request | Requesting that this Board convene in Executive Session to discuss a complaint brought against a city employee. |
| 22. | Mayor's Request | 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. |
| 23. | Mayor's Request | Requesting the appointment of Herbert Foster Jr. to the Zoning Board of Appeals. |
| 24. | Mayor's Request | Requesting the appointment of Berlin Haynes as Constable. |

COMMUNICATIONS OF CITY OFFICERS

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

NEW BUSINESS

- 27. License/Permit Public Event Permit, Friends of the Community Growing Center events, 22 Vinal Ave., various dates and times from Apr 29 through Dec 10.
- 28. License/Permit Public Event Permit, Climate Ride Spinathon Fundraiser, Davis Sq. Statue Park, May 1.
- 29. License/Permit Public Event Permit, St. Benedict Church May Procession, St. Benedict area, May 8.
- 30. License/Permit Public Event Permit, Somerville Allied Veterans Council Canning Drive, Broadway at McGrath Hwy. and Broadway at Medford St., May 14-15, 21-22, 10AM-2PM.
- 31. License/Permit Public Event Permit, SCC/AHOC Save Our Homes Walk, High School Atrium and area streets, May 15, 2-4PM.
- 32. License/Permit Public Event Permit, Film Shoot for "Ted", 55 Davis Sq., May 18, 8AM-11PM.
- 33. License/Permit Public Event Permit, Union Sq. Farmers Market, Union Sq. Plaza, Jun 4-Oct 29, 7AM-2PM.
- 34. License/Permit Public Event Permit, Somerville Road Runners Summer Steamer Road Race, 118 Broadway, 173 Broadway and area streets, Jul 10, 9AM-Noon.
- 35. License/Permit Public Event Permit, Somerville Pop Warner Canning Drive, Citywide, Aug 13 and Sep 24, 9AM-5PM.
- 36. License/Permit New Drainlayer's License, Nurotoco of MA dba Roto Rooter Services.
- 37. License/Permit New Drainlayer's License, Greener Excavating LLC.
- 38. License/Permit New Drainlayer's License, JA Connell Contracting Inc.
- 39. License/Permit Renewing Flammables License, 120 Beacon St. LP, 120 Beacon St., 20,000 gallons.

- 40. License/Permit Renewing Flammables License, Broadway Brake, 45 Broadway, 8,600 gallons.
- 41. License/Permit Renewing Flammables License, Cubby Oil Co., 20 Medford St., 16,800 gallons.
- 42. License/Permit Renewing Flammables License, Cumberland Farms, 212 Broadway, 32,800 gallons.
- 43. License/Permit Renewing Flammables License, Cumberland Farms, 701-709 Somerville Ave., 25,000 gallons.
- 44. License/Permit Renewing Flammables License, Drake Petroleum Co., 360 Medford St., 24,210 gallons.
- 45. License/Permit Renewing Flammables License, General Glass and Mirror Corp., 231 Lowell St., 1,000 gallons.
- 46. License/Permit Renewing Flammables License, Grove St. Realty Trust, 48 Grove St., 500 gallons.
- 47. License/Permit Renewing Flammables License, Hess #21521, 709 McGrath Hwy., 45,550 gallons.
- 48. License/Permit Renewing Flammables License, Parkway Sunoco, 395 Alewife Brook Pkwy., 32,995 gallons.
- 49. License/Permit Renewing Flammables License, Simon's Auto Service, 166 Boston Ave., 18,150 gallons.
- 50. License/Permit Renewing Flammables License, Souza Brothers Foreign Cars Service, 37 Prospect St., 12,388 gallons.
- 51. License/Permit Renewing Garage License, 120 Beacon St. LP, 120 Beacon St., 60 autos in, 20 out.
- 52. License/Permit Renewing Garage License, 429 Corp., 109-111 Prospect St., 5 autos in, 15 out.
- 53. License/Permit Renewing Garage License, Auto Express, 712 Mystic Ave., 3 autos in, 7 out.
- 54. License/Permit Renewing Garage License, BBC Auto Repair, 483 Somerville Ave., 10 autos in.
- 55. License/Permit Renewing Garage License, Boston Sand and Gravel, 492 Rutherford Ave., 60 autos in.
- 56. License/Permit Renewing Garage License, Brasil Auto Repair, 621 Somerville Ave., 2 autos in.
- 57. License/Permit Renewing Garage License, Broadway Brake, 45 Broadway, 3 autos in, 27 out.

- 58. License/Permit Renewing Garage License, Cataldo Ambulance Service, 4 Joy St., 6 autos in, 4 out.
- 59. License/Permit Renewing Garage License, Century Tire, 263-269 Beacon St., 6 autos in, 4 out.
- 60. License/Permit Renewing Garage License, Chicken and Shakes Automotive, 6A-6B Beach Ave., 8 autos in.
- 61. License/Permit Renewing Garage License, City Auto Service, 13B Joy St., 2 autos in, 4 out.
- 62. License/Permit Renewing Garage License, Domenic Fabrizio, 290R Somerville Ave., 2 autos in, 2 out.
- 63. License/Permit Renewing Garage License, GE & M Auto Service, 395 Alewife Brook Pkwy., 3 autos in, 14 out.
- 64. License/Permit Renewing Garage License, Grove St. Realty Trust, 48 Grove St., 20 autos in.
- 65. License/Permit Renewing Garage License, Hawkins St. Automotive Co., 3-9 Hawkins St., 4 autos in, 8 out.
- 66. License/Permit Renewing Garage License, Inman Collision Center, 45 Webster Ave., 13 autos in, 4 out.
- 67. License/Permit Renewing Garage License, Inman Motor Sales, 121-123 Prospect St., 4 autos in.
- 68. License/Permit Renewing Garage License, Lien's Auto Repairs, 65 Bow St., 2 autos in, 8 out.
- 69. License/Permit Renewing Garage License, Maaco Auto Painting, 444 Somerville Ave., 75 autos in.
- 70. License/Permit Renewing Garage License, Mac's Auto Body, 53-55 Russell St., 10 autos in, 8 out.
- 71. License/Permit Renewing Garage License, Metro Auto Repair, 47 Webster Ave., 14 autos in, 6 out.
- 72. License/Permit Renewing Garage License, Nippon Express, 30 Inner Belt Rd., 4 autos in.
- 73. License/Permit Renewing Garage License, Pat's Auto Body, 13-19 Joy St., 22 autos in, 20 out.
- 74. License/Permit Renewing Garage License, Pat's Auto Body, 161 Linwood St., 25 autos in.
- 75. License/Permit Renewing Garage License, Simon's Auto Service, 166 Boston Ave., 2 autos in, 2 out.

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| 76. | License/Permit | Renewing Garage License, Souza Brothers Foreign Car Service, 35-37 Prospect St., 10 autos in. |
| 77. | License/Permit | Renewing Garage License, Trustees of Tufts College, 26 Lower Campus Rd., 136 autos in. |
| 78. | License/Permit | Renewing Garage License, Unlimited Auto Body, 471 Somerville Ave., 3 autos in, 3 out. |
| 79. | License/Permit | Renewing Extended Operating Hours License, Hess Corp., 709 McGrath Hwy., Operating 24/7. |
| 80. | License/Permit | Renewing Extended Operating Hours License, Wang's Fast Food, 509 Broadway, Su-Sa to 1AM. |
| 81. | License/Permit | Renewing Junk Dealer's License, Eddie's Furniture, 95 Elm St., Used furniture. |
| 82. | License/Permit | Renewing Junk Dealer's License, La Chic Boutique LLC, 235A Elm St., Jewelry and clothing. |
| 83. | License/Permit | Renewing Junk Dealer's License, Sunshine Lucy's, 93 Holland St., Used furniture. |
| 84. | License/Permit | Renewing Outdoor Parking License, Pat's Auto Body, 161 Linwood St., 63 spaces. |
| 85. | License/Permit | Renewing Outdoor Parking License, Pat's Auto Body, 24-30 Joy St., 100 spaces. |
| 86. | License/Permit | Renewing Outdoor Parking License, Simon's Auto Service, 166 Boston Ave., 2 spaces. |
| 87. | License/Permit | Renewing Outdoor Parking License, Urban Equity Development Co., 55 Day St. and 108-112 Dover St., 70 spaces. |
| 88. | License/Permit | Renewing Outdoor Parking License, Urban Equity Development Co., 7-9 and 11-13 Herbert St., 20 spaces. |
| 89. | License/Permit | Renewing Outdoor Seating License, Boston Burger Company, 37 Davis Sq., 5 tables, 10 seats, 1 A-frame sign. |
| 90. | License/Permit | Renewing Outdoor Seating License, Crispy Crepe LLC, 51 Davis Sq., 5 tables, 10 seats, 1 A-frame sign. |
| 91. | License/Permit | Renewing Outdoor Seating License, Diva Indian Bistro and Lounge, 246 Elm St., 4 tables, 8 seats, 1 banner sign. |
| 92. | License/Permit | Renewing Outdoor Seating License, Sally O'Brien's, 335 Somerville Ave., 4 tables, 16 seats. |

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- 93. License/Permit Renewing Outdoor Seating License, The Burren, 247 Elm St., 6 tables, 24 seats.
 - 94. License/Permit Renewing Outdoor Seating License, Yak and Yeti, 719 Broadway, 3 tables, 9 seats, 1 A-frame sign.
 - 95. License/Permit Renewing Pool Table License, Holiday Inn, 30 Washington St., 1 billiard table.
 - 96. License/Permit Renewing Used Car Dealers License Class 2, American Auto Gallery, 682 Mystic Ave., 2 autos in, 20 out.
 - 97. License/Permit Renewing Used Car Dealers License Class 2, Louis Frank Motorcars, 27 Porter St., 0 cars.
 - 98. License/Permit Renewing Taxi Medallion License, Ormond Transportation Inc., Med. #s 49, 50, 62, 89.
 - 99. License/Permit Renewing Taxi Medallion License, Silcor Transportation Inc., Med. #s 51, 52, 77, 93.
 - 100. License/Permit Renewing Taxi Medallion License, Alewife Transportation Inc., Med. #s 65, 69, 80.
 - 101. License/Permit Renewing Taxi Medallion License, Somerville Transportation Inc., Med. #s 70, 71.
 - 102. License/Permit Renewing Taxi Medallion License, Eastern Transportation Inc., Med. #s 73, 87, 90.
 - 103. License/Permit Renewing Taxi Medallion License, WLEJ Inc., Med. # 76.

SUPPLEMENTAL ITEMS

- 104. Mayor's Communication Proclaiming April 28th, 2011, to be Somerville-Tiznit Sister City Celebration Day.
- 105. Mayor's Request Requesting 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.
- 106. Mayor's Request Requesting an increase in the Dilboy Revolving Account Fund Expenditure Cap by \$40K to accomodate additional activity through FY11.
- 107. Mayor's Request Requesting approval of the proposed HUD Action Plan for FY2011-2012, featuring a grant of \$3,610,801 in CDBG, HOME, and ESG funding.

108. Mayor's Request Requesting acceptance of a grant of up to \$12,400 from the Boston Mayor's Office of Emergency Preparedness for Police Dept. participation in the Urban Shield exercise on May 22 - 23, 2011.
109. Officer's Communication City Treasurer responding to #191072 re: 82 Pearson Ave.
110. License/Permit Sign/Awning Permit, Subway #49185, 860 Broadway, 1 sign.

LATE ITEMS

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk