

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 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.

RESULT: APPROVED

4. #191243 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.

RESULT: APPROVED

5. #191244 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.

RESULT: APPROVED

6. #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 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.

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

10. #191249 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.

RESULT: APPROVED

11. #191250 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.

RESULT: APPROVED

12. #191251 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.

RESULT: APPROVED

13. #191252 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.

RESULT: APPROVED

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

RESULT: APPROVED

15. #191254 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.

RESULT: APPROVED

16. #191255 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.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

17. CONFIRMATION OF APPOINTMENTS COMMITTEE

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

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.
Communication

RESULT: PLACED ON FILE

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

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. #191174 Renewing Extended Operating Hours License, Domino's Pizza, 201 Elm St.,
License/Permit 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: APPROVED. [UNANIMOUS]
AYES: 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 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.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

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

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

24. #191264 Mayor's Request Requesting the appointment of Berlin Haynes as Constable.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

COMMUNICATIONS OF CITY OFFICERS

25. #191265 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.

RESULT: PLACED ON FILE

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

RESULT: PLACED ON FILE

NEW BUSINESS

27. #191267 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.

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

30. #191270 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.

RESULT: APPROVED

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

RESULT: APPROVED

32. #191272 License/Permit Public Event Permit, Film Shoot for "Ted", 55 Davis Sq., May 18, 8AM-11PM.

RESULT: APPROVED

33. #191273 License/Permit Public Event Permit, Union Sq. Farmers Market, Union Sq. Plaza, Jun 4-Oct 29, 7AM-2PM.

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

54. #191294 License/Permit Renewing Garage License, BBC Auto Repair, 483 Somerville Ave., 10 autos in.

RESULT: APPROVED

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

RESULT: APPROVED

56. #191296 License/Permit Renewing Garage License, Brasil Auto Repair, 621 Somerville Ave., 2 autos in.

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

86. #191326 License/Permit Renewing Outdoor Parking License, Simon's Auto Service, 166 Boston Ave., 2 spaces.

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

101. #191341 License/Permit Renewing Taxi Medallion License, Somerville Transportation Inc., Med. #s 70, 71.

RESULT: APPROVED

102. #191342 License/Permit Renewing Taxi Medallion License, Eastern Transportation Inc., Med. #s 73, 87, 90.

RESULT: APPROVED

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

RESULT: APPROVED

SUPPLEMENTAL ITEMS

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

RESULT: PLACED ON FILE

105. #191345 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.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

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

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

107. #191347 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.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

108. #191348 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.

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

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk