

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

REGULAR MEETING AGENDA

April 24, 2014, 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 27, 2014.

CITATIONS

3. Citation By Ald. Connolly, Gewirtz, and the Entire Board and the Mayor Commending Colonel Mark Cremin, former Ward Six Alderman, who is retiring from the US Army after 30 years of dedicated service as a Judge Advocate.

PUBLIC HEARINGS

4. Grant of Location Submitted by NStar Electric, to install 44 feet of conduit in Bonair St from a pole to 625 McGrath Hwy.

5. Grant of Location Submitted by NStar Electric, to install 45 feet of conduit in St James Ave from a pole to a point of pickup on St James Ave.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

6. Order By Ald. McLaughlin
That the Director of SPCD (ISD) and the Director of Public Health explain the policy for food and food donations at charity or nonprofit events.

7. Order By Ald. McLaughlin
That the Director of SPCD update this Board on the status of the I-93 sound barriers, authorized in a State bond bill in 2012.

8. Order By Ald. McLaughlin
That the Commissioner of Public Works direct all parties involved in the construction work along lower Broadway to provide better communication with neighbors in the construction areas.
9. Order By Ald. McLaughlin
That this Board's Committee on Public Utilities and Works take the lead in securing additional lighting under the Gilman Street bridge.
10. Order By Ald. McLaughlin
That the Commissioner of Public Works contact the appropriate utility company regarding the removal of double poles on Perkins Street, Glen Street, Cutter Street, Kennison Avenue and Garfield Street.
11. Order By Ald. McLaughlin
That the Commissioner of Public Works contact the appropriate utility company to raise the low hanging wire on Autumn Street.
12. Order By Ald. Niedergang
That the Commissioner of Public Works repair the potholes at Cedar Street at Albion Street, Cedar Street at Highland Avenue, Trull Steet near Vernon Street, and Hudson Street near Lowell Street.
13. Order By Ald. Niedergang
That the Commissioner of Public Works repair the two broken street lights in Junction Park.
14. Order By Ald. Niedergang
That the Commissioner of Public Works replace the decorative street light in Magoun Square (in front of CVS) and report to the Ward 5 Alderman on a timeline for completion of this request. (2nd request)
15. Order By Ald. Lafuente
That the Water Superintendent appear before this Board to provide an update on the \$130,000 rental request approved by this Board during the FY14 budget meetings.

16. Order By Ald. Lafuente
That the City Engineer appear before this Board to provide an update on the \$120,000 rental request approved by this Board during the FY14 budget meetings.
17. Order By Ald. Lafuente
That the Commissioner of Public Works appear before this Board to provide an update on the \$25,000 appropriation approved by this Board for Public Safety, including what has been purchased, the costs and inventory of the products purchased, and the remaining balance.
18. Order By Ald. Heuston
That the Director of SPCD (ISD) cite Walgreen's, at 26 Beacon Street, for all health code violations, and direct them to clean the periphery of their property and remove the trash barrel from 28 Beacon Street.
19. Order By Ald. Heuston
That the Director of SPCD (ISD) contact the owners of 28 and 30 Beacon Street regarding overgrowth and the improper storage of trash and recycling materials, and issue citations for their maintenance of the properties.
20. Order By Ald. Heuston
That the City Solicitor advise this Board of the city's ability to control the dissemination of advertisements from "Globe Direct", and inquire why individual requests to stop unsolicited deliveries are not followed.
21. Resolution By Ald. Heuston
That the Licensing Commission reconsider the regulation for liquor establishments to leave doors open between 8 AM and 9 PM, Monday through Friday, in areas that aren't central business districts, and convey to this Board how this regulation may be altered.
22. Order By Ald. Heuston
That the City Engineer and the Water Superintendent prepare a summary of water and sewer work completed in 2013 near Dane Avenue, Dane Street and Washington Street, and include plans for work near Kingman Road and Clark Street, and present this summary to this Board's Flood Forum Committee.

23. Order By Ald. Heuston
That the Director of Traffic and Parking repair the yellow flashing signal at South and Medford Streets.
24. Order By Ald. Rossetti, McLaughlin, Sullivan
That this Board's Finance Committee discuss the potential impact of the recently adopted veterans services legislation, Valor Act II, on our Veterans Services budget.
25. Order By Ald. Rossetti
That the Commissioner of Public Works explain the policy regarding the height of utility wires suspended from poles, and the protocols in place to ensure adherence to the policy.
26. Order By Ald. Rossetti, McLaughlin, Sullivan, Connolly, White Jr.
That the Director of Traffic and Parking reassess the timing of traffic lights on McGrath Highway, near Assembly Square, under the overpass heading toward Broadway.
27. Order By Ald. McWatters, Heuston
That the Director of Health (in conjunction with the Commissioner of Public Works) install a sign on the island at Bow Street and Somerville Avenue informing the public not to feed the birds.
28. Order By Ald. McWatters
That the Commissioner of Public Works repair the potholes at the corner of Highland Avenue and Benton Road.
29. Resolution By Ald. Sullivan, Niedergang, Heuston, Ballantyne
That the Administration appoint a point person to provide an explanation, cost analysis, and recommendation to this Board about whether an application for a public event permit should be approved, unless the application is by the City or is for a block party or other localized event on a residential street.
30. Order By Ald. Sullivan, Lafuente, White Jr., Connolly, Rossetti
That the Commissioner of Public Works repair the street light on Crest Hill Road, near Shore Drive. (3rd request)

31. Order By Ald. Sullivan, Lafuente, McLaughlin, White Jr., Connolly, Rossetti
That the Commissioner of Public Works take the appropriate action to repair the street lamps on Assembly Row, adjacent to Burger Dive and Starbucks.

UNFINISHED BUSINESS

32. 196072 Citation By Ald. Sullivan, and the Entire Board and the Mayor
Commending Nicholas Stiles, who is retiring after 40 years of dedicated service as a Police Officer.

REPORTS OF COMMITTEES

33. CONFIRMATION OF APPOINTMENTS COMMITTEE

- A. Committee Report Report of the Committee on Confirmation of Appointments, meeting on April 16, 2014.
- B. 195967 Mayor's Request Requesting the appointment of Michael Cabral to the position of Police Officer.
RECOMMENDED: Placed on File
- C. 196474 Mayor's Request Requesting the appointment of Sarah Radding to the Design Review Committee.
RECOMMENDED: Approved
- D. 196651 Mayor's Request Requesting the appointment of Lisa Davidson to the Affordable Housing Trust.
RECOMMENDED: Approved
- E. 196652 Mayor's Request Requesting the appointment of Ernest Partin Jr. as Constable.
RECOMMENDED: Approved
- F. 196653 Mayor's Request Requesting the re-appointment of Scott Kingsley as Constable.
RECOMMENDED: Approved
- G. 196654 Mayor's Request Requesting the re-appointment of Darcy Haynes as Constable.
RECOMMENDED: Approved
- H. 196735 Mayor's Request Requesting the confirmation appointment of George D'Amelio III as a Special Police Officer for the Housing Authority Police.
RECOMMENDED: Approved

- I. 196736 Mayor's Request Requesting the appointment of Robert Hartsgrove as a Special Police Officer for the Housing Authority Police.
RECOMMENDED: Approved
- J. 196737 Mayor's Request Requesting the confirmation of the appointment of Thathyanno Desa as Constable.
RECOMMENDED: Approved
- K. 196738 Mayor's Request Requesting the confirmation of the appointment of Julia Caustrita as Constable.
RECOMMENDED: Approved

34. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- A. Committee Report Report of the Committee on Housing and Community Development, meeting on April 22, 2014.
- B. 196596 Mayor's Request Requesting approval of the 2014-2015 HUD One Year Action Plan, for CDBG, HOME, and ESG programming.
RECOMMENDED: Approved
- C. 196182 Order By Ald. Heuston
That the Director of SPCD (ISD) inform the Ward 2 Alderman about the businesses at 230 Somerville Avenue, including names, uses, permits they are seeking or are required to obtain, hours of operation, square footage, and capacity, including those businesses which have not yet received a certificate of occupancy.
RECOMMENDED: Work Completed
- D. 196183 Order By Ald. Heuston
That the City Solicitor and Director of SPCD advise on the creation of an ordinance to require notification to abutters for multiple businesses housed in a single structure when such businesses do not require Planning or Zoning Board approval.
RECOMMENDED: Work Completed
- E. 196184 Order By Ald. Heuston
That the Director of SPCD (ISD) create a mechanism so members of this Board are informed of new businesses coming into their wards.
RECOMMENDED: Work Completed
- F. 196632 Order By Ald. Niedergang, Ballantyne
That the Director of the SPCD (Transportation and Infrastructure) report to this Board on plans for tree planting citywide for 2014, where trees will be planted, and how residents can submit requests to have trees planted.

RECOMMENDED: Work Completed

- G. 196449 Order By Ald. Lafuente
That the Director of SPCD (ISD) update this Board on the site visit to 37 Jackson Road.
RECOMMENDED: Work Completed

35. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, meeting on April 17, 2014.

36. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report Report of the Committee on Legislative Matters, meeting on April 22, 2014.

- B. 194833 Order By Ald. White Jr.
That the Director of Commissions update this Board on #193203, the city's volunteer commissions, including vacancies for each commission and the number of times each commission met in 2012 and 2013 (to date).
RECOMMENDED: Work Completed

- C. 195477 Mayor's Request Requesting approval of amendments to Chapter 11 of the Code of Ordinances to establish a Mandatory Recycling Ordinance.
RECOMMENDED: Approved

- D. 196208 Order By Ald. Gewirtz
That the City Solicitor draft an ordinance to amend the Junk Dealer Ordinance to eliminate restrictions against operating on Sundays, legal holidays, and nights.
RECOMMENDED: Approved

37. LICENSES AND PERMITS COMMITTEE

- A. Committee Report Report of the Committee on Licenses and Permits, meeting on April 16, 2014.

- B. 196219 Order By Ald. Niedergang
That the City Solicitor report to this Board's Committee on Licenses and Permits, what measures are in place or could be put into permitting language to prevent businesses with A-frame signs on sidewalks from blocking pedestrian passage in the winter.
RECOMMENDED: Work Completed
- C. 196238 Order By Ald. Heuston
That the Director of SPCD (ISD) investigate Top Cars and ATS Towing at 438 Columbia Street for proper licenses.
RECOMMENDED: Work Completed
- D. 196304 Order By Ald. Heuston
That the Director of SPCD (ISD) provide the Ward 2 Alderman with an update on the lack of proper licenses for all businesses at 495-497 Columbia Street.
RECOMMENDED: Work Completed
- E. 196401 License/Permit Public Event Permit, Vecna Cares 5K Robot Run, Davis Square area, Jun 29, 6:30AM-Noon.
RECOMMENDED: Approved
- F. 196408 License/Permit New Used Car Dealer's License Class II, Top Gear Motor Group, 161 Linwood Street, for 20 autos stored outside.
RECOMMENDED: Approved
- G. 196453 Order By Ald. Sullivan, Ballantyne
That the Clerk of Committees notify the owners of Alewife Automotive, 395 Alewife Brook Parkway, to appear at a License and Permits Committee meeting to discuss the terms of the license.
RECOMMENDED: Work Completed
- H. 196657 Officer's Communication Assistant City Solicitor responding to #196219 re: A-Frame Sign Permitting Language.
RECOMMENDED: Work Completed
- I. 196686 License/Permit Renewing Extended Operating Hours License, Target Store T 1441, 180 Somerville Ave.
RECOMMENDED: Approved
- J. 196687 License/Permit Renewing Extended Operating Hours License, Kmart #3486, 77 Middlesex Ave.
RECOMMENDED: Approved
- K. 196688 License/Permit Renewing Extended Operating Hours License, Mr. B's, 142 Cross St.
RECOMMENDED: Approved

- L. 196692 New Outdoor Seating License, Union Sq. Pizza, 63 Union Sq., 4
License/Permit tables, 8 chairs.
RECOMMENDED: Approved

- M. 196693 New Outdoor Seating License, Broadway Eatery, 1157 Broadway,
License/Permit 3 tables, 6 chairs.
RECOMMENDED: Approved

- N. 196742 Public Event Permit, The Somerville Flea, Buena Vista Parking
License/Permit Lot, Sundays Jun 1-Oct 26, 7:30AM-5:30PM.
RECOMMENDED: Approved

- O. Order By Ald. Ballantyne
 That the Garage and Used Car licenses for Alewife Automotive,
 395 Alewife Brook Parkway, be amended to run for 90 days only,
 and to limit outdoor parking to 9 vehicles for the garage and 20
 vehicles for used cars.

- P. Order By Ald. Ballantyne, Heuston
 That the Director of SPCD (ISD) visit Alewife Automotive, 395
 Alewife Brook Parkway, on a weekly basis to count the number of
 vehicles on the property.

- Q. Order By Ald. Heuston
 That the City Solicitor advise the Committee on Licenses and
 Permits on the legality of parking vehicles with dealer plates, or
 no plates, at the Dilboy Field lot, and the city's ability to ticket and
 tow at that lot.

- R. Order By Ald. Heuston
 That the City Clerk determine the amount of public event fees
 charged by other communities.

38. VETERANS AND PUBLIC SERVICES COMMITTEE

- A. Committee Report Report of the Committee on Veterans and Public Services,
 meeting on April 15, 2014.

- B. 196381 By Ald. McLaughlin
Order That the Director of Veterans Services appear before this Board's
 Committee on Veterans and Public Services to discuss street
 corner dedications and how the committee may help on veteran's
 issues.

RECOMMENDED: Work Completed

- C. 196391 Officer's Communication The Commission on Monuments, Memorials, and Dedications responding to #196154 re: a Park Dedication for Joseph Mackey.

RECOMMENDED: Work Completed

- D. 196598 Officer's Communication Director of Veterans Services responding to #196381 re: attending a Veterans and Public Services Committee meeting.

RECOMMENDED: Work Completed

COMMUNICATIONS OF THE MAYOR

39. Mayor's Request Requesting the acceptance of a \$36,877 grant from the MA Department of Agricultural Resources to create a "Local Food Production/Distribution Triangle."

40. Mayor's Request Requesting the appointment of Nancy Salamoun to the Human Rights Commission.

41. Mayor's Request Requesting the appointment of Rukmini Karki to the Commission on Women.

COMMUNICATIONS OF CITY OFFICERS

42. Officer's Communication City Assessor responding to #196640 re: properties owned by Tufts University.

43. Officer's Communication DPW Commissioner responding to various Board Orders submitted 4/10/14.

NEW BUSINESS

44. License/Permit Public Event Permit, Community Growing Center events, 22 Vinyl Ave, Apr 13-Oct 31.

45. License/Permit Public Event Permit, Open Studios/Somerville Museum Redbones Food Truck, May 3-4, 11AM-6PM.

46. License/Permit Public Event Permit, Cinco de Emily St James Ave Block Party, St James Ave dead end, May 3, 3-9 PM (raindate May 4).

- 47. License/Permit Public Event Permit, Josephine Ave neighborhood SummerPlay Kickoff and Porchfest, Josephine Ave from Kidder to Broadway, May 17, Noon-6PM.
- 48. License/Permit Public Event Permit, Duhamel Education Initiative Walk, Bike Path, Jun 1, 11AM-1PM.
- 49. License/Permit Public Event Permit, Devino Espirito Santo, 203 Somerville Ave., Jun 8, 8AM-10PM.
- 50. License/Permit Public Event Permit, Hope Fellowship Church Grant Brown 5K Road Race, Bike Path to Highland Ave to Benton Rd to Elm St to Willow Ave to Bike Path, Jul 26, 7-10AM.
- 51. License/Permit Sign/Awning Permit, Pizzeria Posto, 187 Elm Street, 1 awning.
- 52. License/Permit Renewing Drainlayer's License, D Muzzioli Associates.
- 53. License/Permit Renewing Drainlayer's License, Caruso Corp.
- 54. License/Permit Renewing Drainlayer's License, Vanaria Brothers.
- 55. License/Permit Renewing Garage License, Faulkner Bros., 13 Alpine St.
- 56. License/Permit Renewing Garage License, J & C Auto Repair, 91 Prospect St.
- 57. License/Permit Renewing Garage License, Mike's Auto Services, 6 Beach Ave.
- 58. License/Permit Renewing Garage License, Dewire Family Trust, 381 Washington St.

- 59. License/Permit Renewing Garage License, Dewire Family Trust, 387 Washington St.
- 60. License/Permit Renewing Garage License, Dewire Family Trust, 147 Beacon St.
- 61. License/Permit Renewing Garage License, Ideal Automotive Services, 96 Dover St.
- 62. License/Permit Renewing Garage License, A Plus Auto Body, 297 Medford St.
- 63. License/Permit Renewing Garage License, A Plus Auto Body, 295 Medford St.
- 64. License/Permit Renewing Garage License, Tufts University, 26 Lower Campus Rd.
- 65. License/Permit Renewing Garage License, Partners Healthcare System, 21 Third Ave.
- 66. License/Permit Renewing Garage License, Chris's Auto Service, 371 Highland Ave.
- 67. License/Permit Renewing Flammables License, Faulkner Bros., 13 Alpine St.
- 68. License/Permit Renewing Flammables License, Dewire Family Trust, 387 Washington St.
- 69. License/Permit Renewing Flammables License, The Home Depot #2667, 75 Mystic Ave.
- 70. License/Permit Renewing Flammables License, Somerville Auto Service, 57 Warren St.

- 71. License/Permit Renewing Flammables License, Winter Hill Yacht Club, 85 Foley St.
- 72. License/Permit Renewing Flammables License, M.S. Walker, 20 Third Ave.
- 73. License/Permit Renewing Outdoor Parking License, Faulkner Brothers, 13 Alpine St.
- 74. License/Permit Renewing Taxi Medallion License, Elzira and Luc Inc, Med #6.
- 75. License/Permit Renewing Taxi Medallion License, 32 Summer St Corp, Med #29.
- 76. License/Permit Renewing Taxi Medallion License, Elysse Corp, Med #48.
- 77. License/Permit Renewing Taxi Medallion License, Victory Cab, Med #56.
- 78. License/Permit Renewing Taxi Medallion License, Raymy Inc., Med #59.
- 79. License/Permit Renewing Taxi Medallion License, Madkep Transportation, Med #64.
- 80. License/Permit Renewing Taxi Medallion License, Odney Cab, Med #72.
- 81. License/Permit Renewing Taxi Medallion License, J&J Transportation, Med #74.
- 82. License/Permit Renewing Taxi Medallion License, WLEJ Inc., Med #76.
- 83. License/Permit Renewing Taxi Medallion License, Love Cab, Med #92.

SUPPLEMENTAL ITEMS

84. Citation By Ald. Rossetti, and the Entire Board and the Mayor
Commending the Somerville Council of Parent-Teacher
Associations for sponsoring the Scholarship Dinner Dance for 40
years, raising \$200,000 for college scholarships provided to the
City's high school graduates.
85. Order By Ald. McLaughlin
That the Commissioner of Public Works trim the tree in front of 3
Kensington St.
86. Order By Ald. McLaughlin
That the Director of Traffic and Parking post a NO RIGHT TURN
7AM-9AM on Broadway, at MacArthur Street, to limit traffic on
MacArthur Street.
87. Order By Ald. Niedergang, Lafuente, McLaughlin
That the Director of SPCD, with the Central Broadway
Streetscape Improvements Project, consider additional safe
protected cycling lanes by extending the Broadway bike lane that
ends at Cedar Street through the Central Broadway corridor to
McGrath Highway, and report to this Board on plans for
additional bike lanes on this section of Broadway.
88. Order By Ald. Niedergang
That the Director of SPCD (ISD) inspect 602 Broadway for code
violations, and cite the owner if necessary.
89. Order By Ald. McWatters
That the Director of SPCD (ISD) inspect the dumpsters and area
around the Highland Creole Cuisine restaurant, 2 Highland
Avenue, for signs of rodent activity, and take appropriate actions.
90. Mayor's Request Requesting that this Board convene in Executive Session for an
update regarding the proposed Wynn Casino in Everett.
91. Mayor's Request Requesting an appropriation of \$15,000 from Unreserved Fund
Balance ("Free Cash") to the Law Legal Services Account to
retain outside legal services for litigation proceedings regarding a
casino in Everett.

92. Mayor's Request Requesting authorization to retain Stephen M. Leonard as outside counsel for litigation proceedings regarding the siting of a casino in Everett.
93. Officer's Communication Assistant City Solicitor responding to #195725 re: restricting formula businesses.
94. Officer's Communication Assistant City Solicitor responding to #195477 re: an updated Mandatory Recycling Ordinance as voted by Committee on Legislative Matters on 4/22/14.
95. Officer's Communication Assistant City Solicitor responding to #196208 re: operating hours of Junk Dealers.
96. Officer's Communication Director of Finance submitting a report on SPCD Professional & Technical Services Accounts.
97. Officer's Communication Traffic and Parking Interim Director submitting responses to various Board Orders.
98. License/Permit Public Event Permit, Tufts GSC 5K Walk/Run, Tufts campus area, May 10, 9AM-1PM.
99. License/Permit Public Event Permit, Redbones Bike to Work Benefit, Chester St., Jun 9, Noon-10PM (raindate Jun 16).
100. License/Permit New Junk Dealer License, Bomb Books, buying used textbooks from a vehicle at Packard and Talbot Aves, May 2-9 and Dec 12-18 only.
101. License/Permit Renewing Garage License, Grove St Realty Trust, 48 Grove St.
102. License/Permit Renewing Garage License, 120 Beacon St LP, 120 Beacon St.
103. License/Permit Renewing Garage License, A&M Foreign Motors, 400 Mystic Ave.

104. License/Permit Renewing Garage License, Original Auto Body and Mechanic, 12 Joy St.
105. License/Permit Renewing Garage License, A&E Auto Repair, 13 Joy St.
106. License/Permit Renewing Garage License, Alewife Automotive, 395 Alewife Brook Pkwy.
107. License/Permit Renewing Flammables License, Grove St Realty Trust, 48 Grove St.
108. License/Permit Renewing Flammables License, 120 Beacon St LP, 120 Beacon St.
109. License/Permit Renewing Taxi Stand License, Green Cab and Yellow Cab Assn., 2 cabs at 255 Elm St., 2 cabs at 503 Broadway, 6 cabs at 295 Broadway, 4 cabs at 1 Davis Sq., 5 cabs at 0 Foley St., 4 cabs at 30 Washington St., 3 cabs at 22-26 Union Sq.
110. License/Permit Renewing Junk Dealer's License, Delta Jewelry and Refining, 90 Highland Ave.
111. License/Permit Renewing Livery License, Diamond J & M Transportation, 132 Summer St.

LATE ITEMS

ADJOURNMENT