

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

REGULAR MEETING MINUTES

April 24, 2014, 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	Absent	
Mary Jo Rossetti	Alderman At Large	Present	
Dennis M. Sullivan	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	
Matthew McLaughlin	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Robert J. McWatters	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	
Mark Niedergang	Ward Five Alderman	Present	
Rebekah L. Gewirtz	Ward Six Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	

1. #196761 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

Alderman Gewirtz requested a moment of silence to honor Jon Imber man who had recently passed away. President White noted the meeting marks the one-year anniversary of the Boston Marathon bombing, and asked that those affected also be included in the board's remembrances.

2. #196762 Approval of the Minutes of the Regular Meeting, March 27, 2014.
Minutes

RESULT: APPROVED

CITATIONS

3. #196763 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.

RESULT: APPROVED

President White said that Alderman Connolly is presenting the citation in Washington DC, and asked that the item be approved and brought back to the agenda at the next meeting for discussion.

PUBLIC HEARINGS

4. #196764 Submitted by NStar Electric, to install 44 feet of conduit in Bonair St from a Grant of Location pole to 625 McGrath Hwy.

RESULT: APPROVED

President White opened the public hearing. Jacqueline Duffy, representing NStar Electric, stated the work is necessary. Alderman McLaughlin asked if there would be any associated traffic issues, and Ms. Duffy said there would be a police detail ensuring traffic effects are minimized.

5. #196765 Submitted by NStar Electric, to install 45 feet of conduit in St James Ave Grant of Location from a pole to a point of pickup on St James Ave.

RESULT: REFERRED FOR RECOMMENDATION

President White opened the public hearing. Jacqueline Duffy, representing NStar Electric, stated the work will provide electric service to 336 Summer Street. Jason Evans, 27 St. James Avenue, stated the work was completed in October or November 2013 and the neighbors were not notified. He stated the developer has not effectively notified neighbors of associated work and commented there has been significant wear on the street due to construction vehicles. Ms. Duffy reported she found out today that the work is already done. Alderman Gewirtz stated this is not the first time the work has already been done when the application is submitted. She stated she will not approve the item and suggested a fine. Alderman Rossetti agreed with the suggestion. Alderman Ballantyne agreed she will not support the item and asked that the issue be referred to committee. Alderman Sullivan moved that the item to be referred to the Licenses and Permits Committee and assured the board that item will be investigated in committee. President White asked if Ms. Duffy believes the developer, not NStar, did the work. Ms. Duffy responded in the affirmative and explained the developer asked NStar to set up electricity, but she discovered during her site visit that the conduit was already laid. President White asked Alderman Sullivan to invite the DPW Commissioner to the committee meeting to discuss the street opening. Alderman Sullivan stated he will also determine whether there was a public safety detail present. Alderman Heuston suggested Inspectional Services also be involved in the discussion. Alderman Sullivan assured the board members that he will report back. President White explained the procedure to Mr. Evans and invited him to attend the committee meeting.

FOLLOWUP: Licenses and Permits Committee

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

6. #196766 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.

RESULT: APPROVED

Alderman McLaughlin would like to review the procedure and hopefully make it easier for charities to accept food donations.

FOLLOWUP: Public Health and Public Safety Committee

7. #196767 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.

RESULT: APPROVED

Alderman McLaughlin stated he would like to expedite the process. Alderman Sullivan commented there is a strong need for sound barriers in the area. President White reported the funding had been authorized in a bond bill and asked Alderman Niedergang to follow up on the issue.

FOLLOWUP: Housing and Community Development Committee

8. #196768 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.

RESULT: APPROVED

Alderman McLaughlin stated this issue follows up with a request from the previous year. President White asked Alderman McWatters to ensure the issue is resolved.

FOLLOWUP: Public Utilities and Public Works Committee

9. #196769 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.

RESULT: APPROVED

Alderman McLaughlin stated he feels lighting would alleviate some of the issues in the area.

FOLLOWUP: Public Utilities and Public Works Committee

10. #196770
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.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

11. #196771
Order
By Ald. McLaughlin
That the Commissioner of Public Works contact the appropriate utility company to raise the low hanging wire on Autumn Street.

RESULT: APPROVED

12. #196772
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.

RESULT: APPROVED

13. #196773
Order
By Ald. Niedergang
That the Commissioner of Public Works repair the two broken street lights in Junction Park.

RESULT: APPROVED

14. #196774
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)

RESULT: APPROVED

15. #196775
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.

RESULT: APPROVED

FOLLOWUP: Finance Committee

16. #196776
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.

RESULT: APPROVED

FOLLOWUP: Finance Committee

17. #196777
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.

RESULT: APPROVED

18. #196778
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.

RESULT: APPROVED

Alderman Heuston asked that the barrels be inspected and that the item be referred to committee. The board discussed the procedure for referring public health items to committee.

FOLLOWUP: Public Health and Public Safety Committee

19. #196779
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.

RESULT: APPROVED

Alderman Heuston spoke about obtaining responses from department heads and asked that the item be referred to committee.

FOLLOWUP: Public Health and Public Safety Committee

20. #196780
Order

By Ald. Heuston, and the Entire Board
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.

RESULT: APPROVED

Alderman Heuston commented the advertisements are nuisances and asked that the board be presented with possible solutions. President White reported that the City Solicitor has been investigating the issue and attempting to find a solution. City Solicitor Frank Wright explained the

issue involves Federal regulation as well as first amendment rights, but his office intends to submit a resolution allowing residents to opt out.

FOLLOWUP: Legislative Matters Committee

21. #196781
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.

RESULT: APPROVED

Alderman Heuston noted there have been several complaints about liquor establishments in neighborhoods leaving their windows and doors open, which in turn encourages patrons to take their celebrations into the street. She stated Police officers are having trouble negotiating the issue and residents would like a reconsideration of the regulation.

FOLLOWUP: Legislative Matters Committee

22. #196782
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.

RESULT: APPROVED

FOLLOWUP: Flood Forum Special Committee

23. #196783
Order

By Ald. Heuston

That the Director of Traffic and Parking repair the yellow flashing signal at South and Medford Streets.

RESULT: APPROVED

24. #196784
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.

RESULT: APPROVED

Alderman Rossetti asked that the committee provide clarification regarding the financial impact of the legislation.

FOLLOWUP: Finance Committee

25. #196785
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.

RESULT: APPROVED

Alderman Rossetti stated she would like to have assurance that the issue can be addressed. President White requested that Alderman McWatters coordinate with Alderman Rossetti.

FOLLOWUP: Public Utilities and Public Works Committee

26. #196786
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, and at the intersection of Mount Vernon Street at Broadway.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

27. #196787
Order
- By Ald. McWatters, Heuston
That the Director of Public Health and Commissioner of Public Works install a sign on the island at Bow Street and Somerville Avenue prohibiting feeding the birds, and that the Director of Public Health distribute a flyer around the neighborhood explaining why birds may not be fed, and that the Police, Animal Control, ISD, and DPW enforce Ordinance 3-3 at this island.

RESULT: APPROVED

Alderman McWatters expressed concerns about residents unintentionally attracting vermin by feeding birds in the city. Alderman Heuston commented she believes there is already an ordinance with an associated fine, and mentioned the need to alert residents to the associated issues.

FOLLOWUP: Public Health and Public Safety Committee

28. #196788
Order
- By Ald. McWatters
That the Commissioner of Public Works repair the potholes at the corner of Highland Avenue and Benton Road.

RESULT: APPROVED

29. #196789
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.

RESULT: APPROVED

Alderman Sullivan spoke about the need for a cost-benefit analysis.

FOLLOWUP: Licenses and Permits Committee

30. #196790 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)

RESULT: APPROVED

31. #196791 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.

RESULT: APPROVED

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.

RESULT: APPROVED

REPORTS OF COMMITTEES

33. CONFIRMATION OF APPOINTMENTS COMMITTEE

- A. #196792 Report of the Committee on Confirmation of Appointments, meeting on Committee Report April 16, 2014.

RESULT: APPROVED

Alderman Heuston asked that the Vice Chair give the report. Alderman McWatters reported the committee took up constable and commission appointments, as well as two special police officer appointments.

- B. #195967 Mayor's Request Requesting the appointment of Michael Cabral to the position of Police Officer.

RESULT: PLACED ON FILE

- C. #196474 Mayor's Request Requesting the appointment of Sarah Radding to the Design Review Committee.

RESULT: APPROVED

- D. #196651 Mayor's Request Requesting the appointment of Lisa Davidson to the Affordable Housing Trust.

RESULT: APPROVED

- E. #196652 Mayor's Request Requesting the appointment of Ernest Partin Jr. as Constable.

RESULT: APPROVED

- F. #196653 Mayor's Request Requesting the re-appointment of Scott Kingsley as Constable.

RESULT: APPROVED

- G. #196654 Mayor's Request Requesting the re-appointment of Darcy Haynes as Constable.

RESULT: 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.

RESULT: APPROVED

- I. #196736 Mayor's Request Requesting the appointment of Robert Hartsgrove as a Special Police Officer for the Housing Authority Police.

RESULT: APPROVED

- J. #196737 Mayor's Request Requesting the confirmation of the appointment of Thathyanno Desa as Constable.

RESULT: APPROVED

- K. #196738 Mayor's Request Requesting the confirmation of the appointment of Julia Caustrita as Constable.

RESULT: APPROVED

34. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- A. #196793 Report of the Committee on Housing and Community Development, Committee Report meeting on April 22, 2014.

RESULT: APPROVED

Alderman Niedergang reported that the committee discussed the administration's HUD one-year Action Plan, the implementation of a new software system to track new business, solutions for mail delivery issues, and inspection issues in Alderman Lafuente's ward. Alderman White expressed concern about the district court's level of support for the city's efforts to enforce ordinances on absentee landlords. He asked the City Solicitor's Office to provide a report in six months to identify how much of an impact the court cases are having on enforcement.

- B. #196596 Requesting approval of the 2014-2015 HUD One Year Action Plan, for Mayor's Request CDBG, HOME, and ESG programming.

RESULT: 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.

RESULT: 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.

RESULT: 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.

RESULT: 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.

RESULT: 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.

RESULT: WORK COMPLETED

35. LEGISLATIVE MATTERS COMMITTEE

- A. #196794 Committee Report Report of the Committee on Legislative Matters, meeting on April 17, 2014.

RESULT: APPROVED

Alderman Rossetti stated Alderman Gewirtz recused herself on one of the items. She reported on the consideration of the complete streets ordinance as well as discussion of other legislative items.

36. LEGISLATIVE MATTERS COMMITTEE

- A. #196795 Committee Report Report of the Committee on Legislative Matters, meeting on April 22, 2014.

RESULT: APPROVED

Alderman Gewirtz reported the committee spoke about mandatory recycling in the city, restricting formula businesses, standard compliance at second-hand stores, and controversy over the sale of the US Postal Service building in Union Square.

- 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).

RESULT: 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.

RESULT: PLACED ON FILE

The Ordinance was Approved, Enrolled, and Ordained as submitted in #196857, #94 on the agenda.

- 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.

RESULT: WORK COMPLETED

The Ordinance was Approved, Enrolled, and Ordained as submitted in #196858, #95 on the agenda.

37. LICENSES AND PERMITS COMMITTEE

- A. #196796 Committee Report 2014. Report of the Committee on Licenses and Permits, meeting on April 16, Committee Report 2014.

RESULT: APPROVED AS AMENDED

AMENDMENT: That #196742 be conditioned to require the petitioner to work with the Traffic and Parking Department to make the unused portion of the parking lot available for public parking.

Alderman Sullivan reported on ongoing issues with public event permits. He commented on the value of a cost-benefit analysis of fundraising efforts and whether the nonprofits benefit Somerville. He suggested the city consider application fees.

- 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.

RESULT: 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.

RESULT: 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.

RESULT: WORK COMPLETED

- E. #196401 License/Permit Public Event Permit, Vecna Cares 5K Robot Run, Davis Square area, Jun 29, 6:30AM-Noon.

RESULT: 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.

RESULT: 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.

RESULT: WORK COMPLETED

- H. #196657 Officer's Communication Assistant City Solicitor responding to #196219 re: A-Frame Sign Permitting Language.

RESULT: WORK COMPLETED

- I. #196686 License/Permit Renewing Extended Operating Hours License, Target Store T 1441, 180 Somerville Ave.

RESULT: APPROVED

- J. #196687 License/Permit Renewing Extended Operating Hours License, Kmart #3486, 77 Middlesex Ave.

RESULT: APPROVED

- K. #196688 License/Permit Renewing Extended Operating Hours License, Mr. B's, 142 Cross St.

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED

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

RESULT: APPROVED WITH CONDITIONS

CONDITION: That the petitioner work with the city to make the unused portion of the parking lot available for public parking.

- O. #196797 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.

RESULT: APPROVED

- P. #196798 Order By Ald. 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.

RESULT: APPROVED

- Q. #196799 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.

RESULT: APPROVED

FOLLOWUP: Licenses and Permits Committee

- R. #196800 By Ald. Heuston
Order That the City Clerk determine the amount of public event fees charged by other communities.

RESULT: APPROVED

FOLLOWUP: Licenses and Permits Committee

38. VETERANS AND PUBLIC SERVICES COMMITTEE

- A. #196801 Report of the Committee on Veterans and Public Services, meeting on April
Committee Report 15, 2014.

RESULT: APPROVED

Alderman McLaughlin reported that the committee discussed dedications and parade volunteers. Alderman Sullivan believes Somerville should redesign the signs used for dedications. Alderman McWatters asked if the old signs would be replaced after the redesign. Alderman McLaughlin stated the committee is not currently considering replacing the existing signs due to costs. Alderman McWatters remarked he would be willing to incur the cost for his relative's sign and commented other families may feel the same.

- 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.

RESULT: WORK COMPLETED

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

RESULT: WORK COMPLETED

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

RESULT: WORK COMPLETED

COMMUNICATIONS OF THE MAYOR

39. #196802 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."

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

40. #196803 Mayor's Request Requesting the appointment of Nancy Salamoun to the Human Rights Commission.

RESULT: APPROVED

41. #196804 Mayor's Request Requesting the appointment of Rukmini Karki to the Commission on Women.

RESULT: APPROVED

COMMUNICATIONS OF CITY OFFICERS

42. #196805 Officer's Communication City Assessor responding to #196640 re: properties owned by Tufts University.

RESULT: PLACED ON FILE

FOLLOWUP: Finance Committee

43. #196806 Officer's Communication DPW Commissioner responding to various Board Orders submitted 4/10/14.

RESULT: PLACED ON FILE

FOLLOWUP: Public Utilities and Public Works Committee

NEW BUSINESS

44. #196807 License/Permit Public Event Permit, Community Growing Center events, 22 Vinyl Ave, Apr 13-Oct 31.

RESULT: APPROVED

Alderman Sullivan requested the readings be waived and the items be approved for 44 through 83, except for item 53, which was referred to committee.

45. #196808 License/Permit Public Event Permit, Open Studios/Somerville Museum Redbones Food Truck, May 3-4, 11AM-6PM.

RESULT: APPROVED

46. #196809 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).

RESULT: APPROVED

47. #196810 License/Permit Public Event Permit, Josephine Ave neighborhood SummerPlay Kickoff and Porchfest, Josephine Ave from Kidder to Broadway, May 17, Noon-6PM.

RESULT: APPROVED

48. #196811 License/Permit Public Event Permit, Duhamel Education Initiative Walk, Bike Path, Jun 1, 11AM-1PM.

RESULT: APPROVED

49. #196812 License/Permit Public Event Permit, Devino Espirito Santo, 203 Somerville Ave., Jun 8, 8AM-10PM.

RESULT: APPROVED

50. #196813 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.

RESULT: APPROVED

51. #196814 License/Permit Sign/Awning Permit, Pizzeria Posto, 187 Elm Street, 1 awning.

RESULT: APPROVED

52. #196815 License/Permit Renewing Drainlayer's License, D Muzzioli Associates.

RESULT: APPROVED

53. #196816 License/Permit Renewing Drainlayer's License, Caruso Corp.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

54. #196817
License/Permit Renewing Drainlayer's License, Vanaria Brothers.

RESULT: APPROVED

55. #196818
License/Permit Renewing Garage License, Faulkner Bros., 13 Alpine St.

RESULT: APPROVED

56. #196819
License/Permit Renewing Garage License, J & C Auto Repair, 91 Prospect St.

RESULT: APPROVED

57. #196820
License/Permit Renewing Garage License, Mike's Auto Services, 6 Beach Ave.

RESULT: APPROVED

58. #196821
License/Permit Renewing Garage License, Dewire Family Trust, 381 Washington St.

RESULT: APPROVED

59. #196822
License/Permit Renewing Garage License, Dewire Family Trust, 387 Washington St.

RESULT: APPROVED

60. #196823
License/Permit Renewing Garage License, Dewire Family Trust, 147 Beacon St.

RESULT: APPROVED

61. #196824
License/Permit Renewing Garage License, Ideal Automotive Services, 96 Dover St.

RESULT: APPROVED

62. #196825
License/Permit Renewing Garage License, A Plus Auto Body, 297 Medford St.

RESULT: APPROVED

63. #196826 License/Permit Renewing Garage License, A Plus Auto Body, 295 Medford St.

RESULT: APPROVED

64. #196827 License/Permit Renewing Garage License, Tufts University, 26 Lower Campus Rd.

RESULT: APPROVED

65. #196828 License/Permit Renewing Garage License, Partners Healthcare System, 21 Third Ave.

RESULT: APPROVED

66. #196829 License/Permit Renewing Garage License, Chris's Auto Service, 371 Highland Ave.

RESULT: APPROVED

67. #196830 License/Permit Renewing Flammables License, Faulkner Bros., 13 Alpine St.

RESULT: APPROVED

68. #196831 License/Permit Renewing Flammables License, Dewire Family Trust, 387 Washington St.

RESULT: APPROVED

69. #196832 License/Permit Renewing Flammables License, The Home Depot #2667, 75 Mystic Ave.

RESULT: APPROVED

70. #196833 License/Permit Renewing Flammables License, Somerville Auto Service, 57 Warren St.

RESULT: APPROVED

71. #196834 Renewing Flammables License, Winter Hill Yacht Club, 85 Foley St.
License/Permit

RESULT: APPROVED

72. #196835 Renewing Flammables License, M.S. Walker, 20 Third Ave.
License/Permit

RESULT: APPROVED

73. #196836 Renewing Outdoor Parking License, Faulkner Brothers, 13 Alpine St.
License/Permit

RESULT: APPROVED

74. #196837 Renewing Taxi Medallion License, Elzira and Luc Inc, Med #6.
License/Permit

RESULT: APPROVED

75. #196838 Renewing Taxi Medallion License, 32 Summer St Corp, Med #29.
License/Permit

RESULT: APPROVED

76. #196839 Renewing Taxi Medallion License, Elysse Corp, Med #48.
License/Permit

RESULT: APPROVED

77. #196840 Renewing Taxi Medallion License, Victory Cab, Med #56.
License/Permit

RESULT: APPROVED

78. #196841 Renewing Taxi Medallion License, Raymy Inc., Med #59.
License/Permit

RESULT: APPROVED

79. #196842 Renewing Taxi Medallion License, Madkep Transportation, Med #64.
License/Permit

RESULT: APPROVED

80. #196843 License/Permit Renewing Taxi Medallion License, Odney Cab, Med #72.

RESULT: APPROVED

81. #196844 License/Permit Renewing Taxi Medallion License, J&J Transportation, Med #74.

RESULT: APPROVED

82. #196845 License/Permit Renewing Taxi Medallion License, WLEJ Inc., Med #76.

RESULT: APPROVED

83. #196846 License/Permit Renewing Taxi Medallion License, Love Cab, Med #92.

RESULT: APPROVED

SUPPLEMENTAL ITEMS

84. #196847 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.

RESULT: APPROVED

85. #196848 Order By Ald. McLaughlin That the Commissioner of Public Works trim the tree in front of 3 Kensington St.

RESULT: APPROVED

86. #196849 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.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

87. #196850 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.

RESULT: APPROVED

88. #196851 Order By Ald. Niedergang That the Director of SPCD (ISD) inspect 602 Broadway for code violations, and cite the owner if necessary.

RESULT: APPROVED

89. #196852 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.

RESULT: APPROVED

Alderman McWatters stated there have been complaints of rodents appearing during the daytime and asked if the restaurant could ensure they are not providing a food source for vermin.

FOLLOWUP: Rodent Issues Special Committee

90. #196853 Mayor's Request Requesting that this Board convene in Executive Session for an update regarding the proposed Wynn Casino in Everett.

RESULT: PLACED ON FILE

Alderman Lafuente moved to place items 90 through 92 to the end of the agenda. When the board had reached the end of the meeting, the items, along with item 112, were taken from the table. President White asked City Solicitor Frank Wright to review the items. Mr. Wright explained item 91 related to the city's appeal of the State's approval of Everett's Municipal Harbor Plan. He explained the appeal would be handled by Mr. Leonard. Alderman Rossetti asked if the \$15,000 request is the anticipated cost or the maximum limit on cost. Mr. Wright responded that is the budgeted amount to cover expenses and the overall cost is not capped. Alderman Rossetti asked if it is Mr. Wright's opinion that the \$15,000 is necessary to begin the process. Mr. Wright responded in the affirmative. Alderman Niedergang asked for confirmation of the costs referred to in each item. President White asked if the city has to undertake an administrative procedure before proceeding to Superior Court. Mr. Wright responded in the negative.

Mr. Wright stated that item 92 is requesting authorization to retain Mr. Leonard's services.
President White asked for clarification of item 112. Mr. Wright explained the \$50,000 will allow the city to commence an arbitration process with Everett's Wynn Casino which will conclude before the end of May. President White explained that if a surrounding community cannot reach an agreement with a casino, an arbitration process begins. Mr. Wright explained that the negotiation time frame ends next week and then the arbitration process begins. Alderman Gewirtz commented the scenario seems like David and Goliath and questioned whether the amount will be enough to resolve the issue. Mr. Wright stated the Law Department has a team of their own and added that David did beat Goliath. Alderman Gewirtz commented on the other in-kind costs associated with the effort. President White suggested the board approve items 91, 92 and 112, and then consider moving to Executive Session to discuss strategy. The board approved items 91, 92 and 112. President White asked if any board members wish to enter into Executive Session per item 90 to discuss strategy. There being none, the item was placed on file.

91. #196854 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.

RESULT: APPROVED

92. #196855 Mayor's Request Requesting authorization to retain Stephen M. Leonard as outside counsel for litigation proceedings regarding the siting of a casino in Everett.

RESULT: APPROVED

93. #196856 Officer's Communication Assistant City Solicitor responding to #195725 re: restricting formula businesses.

RESULT: PLACED ON FILE

Alderman Gewirtz moved to waive the reading of item 93 and refer it to the Committee on Legislative Matters.

FOLLOWUP: Legislative Matters Committee

94. #196857 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.

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]

AYES: Rossetti, Sullivan, White Jr., McLaughlin, Heuston, McWatters, Lafuente, Niedergang, Gewirtz, Ballantyne

ABSENT: John M. Connolly

95. #196858 Assistant City Solicitor responding to #196208 re: operating hours of Junk Dealer's Communication

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]
AYES: Rossetti, Sullivan, White Jr., McLaughlin, Heuston, McWatters, Lafuente, Niedergang, Gewirtz, Ballantyne
ABSENT: John M. Connolly

96. #196859 Director of Finance submitting a report on SPCD Professional & Technical Services Accounts. Communication

RESULT: PLACED ON FILE

Alderman Lafuente moved to waive the reading of item 96 and refer it to the Committee on Finance.

FOLLOWUP: Finance Committee

97. #196860 Traffic and Parking Interim Director submitting responses to various Board Officer's Orders. Communication

RESULT: PLACED ON FILE

Alderman McWatters moved to waive the reading of the item and refer it to the Committee on Traffic and Parking.

FOLLOWUP: Traffic and Parking Committee

98. #196861 Public Event Permit, Tufts GSC 5K Walk/Run, Tufts campus area, May 10, License/Permit 9AM-1PM.

RESULT: APPROVED

Alderman Sullivan moved to waive the readings of 98 through 111 and approve all except item 106 (to be sent to the Licenses and Permits Committee).

99. #196862 Public Event Permit, Redbones Bike to Work Benefit, Chester St., Jun 9, License/Permit Noon-10PM (raindate Jun 16).

RESULT: APPROVED

100. #196863 New Junk Dealer License, Bomb Books, buying used textbooks from a License/Permit vehicle at Packard and Talbot Aves, May 2-9 and Dec 12-18 only.

RESULT: APPROVED

101. #196864
License/Permit Renewing Garage License, Grove St Realty Trust, 48 Grove St.

RESULT: APPROVED

102. #196865
License/Permit Renewing Garage License, 120 Beacon St LP, 120 Beacon St.

RESULT: APPROVED

103. #196866
License/Permit Renewing Garage License, A&M Foreign Motors, 400 Mystic Ave.

RESULT: APPROVED

104. #196867
License/Permit Renewing Garage License, Original Auto Body and Mechanic, 12 Joy St.

RESULT: APPROVED

105. #196868
License/Permit Renewing Garage License, A&E Auto Repair, 13 Joy St.

RESULT: APPROVED

106. #196869
License/Permit Renewing Garage License, Alewife Automotive, 395 Alewife Brook Pkwy.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

107. #196870
License/Permit Renewing Flammables License, Grove St Realty Trust, 48 Grove St.

RESULT: APPROVED

108. #196871
License/Permit Renewing Flammables License, 120 Beacon St LP, 120 Beacon St.

RESULT: APPROVED

109. #196872 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.

RESULT: APPROVED

110. #196873 License/Permit Renewing Junk Dealer's License, Delta Jewelry and Refining, 90 Highland Ave.

RESULT: APPROVED

111. #196874 License/Permit Renewing Livery License, Diamond J & M Transportation, 132 Summer St.

RESULT: APPROVED

LATE ITEMS

112. #196733 Mayor's Request Requesting the appropriation of \$50,000 from Unreserved Fund Balance for the legal services of Stephen Leonard in arbitration proceedings with Wynn Resorts.

RESULT: APPROVED

Alderman Lafuente moved for the item be taken out of order, discharged from the Finance Committee, and moved to the end of the agenda. (See discussion of item 90.)

113. #196875 Order By Ald. White Jr. That the City Solicitor report in September, 2014, to this Board's Committee on Housing and Community Development on whether the Somerville District Court has responded to the city's concerns with respect to enforcing code violations by absentee landlords.

RESULT: APPROVED

FOLLOWUP: Housing and Community Development Committee

114. #196876 Order By Ald. Heuston That the Director of SPCD (ISD) inspect the Park Avenue/Laurel Street area for rodents and communicate with residents and the Ward 2 Alderman on actions taken.

RESULT: APPROVED

FOLLOWUP: Rodent Issues Special Committee

115. #196877
Order

By Ald. Heuston

That the Director of SPCD (ISD) inspect the Bowdoin Street area, including Lincoln Park and Washington Street, for rodents and communicate to residents and the Ward 2 Alderman on actions taken.

RESULT: APPROVED

FOLLOWUP: Rodent Issues Special Committee

ADJOURNMENT

Submitted by John J. Long, City Clerk.