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

### **REGULAR MEETING AGENDA**

February 11, 2016, 7:00 PM Aldermanic Chambers \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

## **OPENING OF THE MEETING**

- 1. Roll Call Call of the Roll. (ID # 13341)
- 2. Minutes Approval of the Minutes of the Organizational Meeting, (ID # 13342) January 4, 2016, and the Regular Meeting, January 14, 2016.

### CITATIONS

3. Citation By Ald. Heuston, and the Entire Board and the Mayor (ID # 13343) Commending Lt. James Nolan on the happy occasion of hire retirement from the Fire Department after 36 years of distinguished service.

#### **PUBLIC HEARINGS**

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

4.	Communication (ID # 13326)	By Ald. Rossetti Reporting on the February 3 and February 10 meetings of the High School Building Committee.
5.	Order (ID # 13327)	By Ald. Niedergang That the Director of SPCD report to this Board on the plan and timeline for implementing the recommendations in the recent report of the Sustainable Neighborhoods Working Group.
6.	Order (ID # 13328)	By Ald. Niedergang That the City Solicitor update this Board on the lawsuits against the Wynn casino in Everett now that Boston has dropped its opposition to the casino.
7.	Order (ID # 13329)	By Ald. Niedergang That the Director of Traffic and Parking fix the flashing speed indicator at the Lowell Street bridge on the east side of the street.

8.	Order (ID # 13330)	By Ald. Niedergang That the Commissioner of Public Works replace the 3 missing yellow bollards on the east side of the Lowell Street bridge at the Community Path Extension ramp.
9.	Order (ID # 13331)	By Ald. Niedergang That the Commissioner of Public Works clear the huge pile of snow on the sidewalk at the Warwick Street elbow, and, if appropriate, instruct the manager of Maxwell's Green not to pile snow on the sidewalk.
10.	Order (ID # 13338)	By Ald. McWatters That the Director of SPCD add 112 Belmont Street to the tree planting list.
11.	Order (ID # 13339)	By Ald. McWatters That the Chief of Police conduct directed patrols on Craigie Street on weekday mornings to check for speeding motorists.
12.	Order (ID # 13340)	By Ald. McWatters That the Director of SPCD update the Ward 3 Alderman on renovating the tot lot at Central Hill park.

# **UNFINISHED BUSINESS**

# **REPORTS OF COMMITTEES**

## 13. CONFIRMATION OF APPOINTMENTS AND PERSONNEL MATTERS COMMITTEE

- A. Committee Report (ID # 13337) Report of the Committee on Confirmation of Appointments, meeting on February 10, 2016.
- B. Resolution 198974 By Ald. McLaughlin, Niedergang That the Administration and the Director of Personnel provide this Board with the ethnic and racial breakdown of the city's workforce and its boards and commissions. RECOMMENDED: Work Completed
- C. Officer's Personnel Director responding to #198974, to provide an Communication 199168 ethnic and racial breakdown of the city's workforce and its boards and commissions. RECOMMENDED: Placed on File
- D. Mayor's Request Requesting the appointment of Raymond Busi to the 200556 position of Permanent Firefighter, effective March 6, 2016. RECOMMENDED: Approved
- E. Mayor's Request Requesting the confirmation of Charles Quigley as City 200602 Engineer.

		RECOMMENDED. Approved
F.	Mayor's Request 200605	Requesting the confirmation of Goran Smiljic as Superintendent of Inspectional Services. RECOMMENDED: Approved
G.	Mayor's Request 200606	Requesting the confirmation of Doug Kress as Director of the Board of Health. RECOMMENDED: Approved
H.	Mayor's Request 200612	Requesting the confirmation of Bryan Bishop as Director of Veterans Services. RECOMMENDED: Approved
I.	Mayor's Request 200662	Requesting the appointment of Police Officer Michael Holland to the rank of Sergeant. RECOMMENDED: Approved
J.	Mayor's Request 200663	Requesting the appointment David Ruff to the position of Police Officer. RECOMMENDED: Approved
K.	Mayor's Request 200664	Requesting the appointment Roger Desrochers to the position of Police Officer. RECOMMENDED: Approved
L.	Mayor's Request 200665	Requesting the appointment Michael Marra to the position of Police Officer. RECOMMENDED: Approved
M.	Mayor's Request 200666	Requesting the appointment Gurpreet Singh to the position of Police Officer. RECOMMENDED: Approved
N.	Mayor's Request 200667	Requesting the appointment Daniel Haley to the position of Police Officer. RECOMMENDED: Approved
О.	Mayor's Request 200668	Requesting the appointment Michael Carroll to the position of Police Officer. RECOMMENDED: Approved
P.	Mayor's Request 200669	Requesting the appointment Robert Hartsgrove to the position of Police Officer. RECOMMENDED: Approved
Q.	Mayor's Request 200670	Requesting the appointment of William Carr as a Special Police Officer. RECOMMENDED: Approved
R.	Order (ID # 13391)	By Ald. McWatters That the Director of Personnel provide this Board's Committee on Confirmation of Appointments with a diversity breakdown of all boards and commissions and a plan to fill vacancies.

14.	LAND USE COM	MITTEE
А.	Committee Report (ID # 13335)	Report of the Committee on Land Use, meeting as a Committee of the Whole, on February 9, 2016.
B.	Mayor's Request 199554	Requesting an amendment to Zoning Ordinance 7.15 Re: Medical Marijuana Treatment Facilities. RECOMMENDED: Placed on File
C.	Officer's Communication 200001	Planning Board conveying its recommendations re: #199554, an amendment to Zoning Ordinance 7.15, Medical Marijuana Treatment Facilities. RECOMMENDED: Placed on File
D.	Order 200626	By Ald. Rossetti That the Land Use Committee discuss recent benefit agreements with marijuana dispensaries in Shrewsbury, Brockton and Taunton. RECOMMENDED: Placed on File
15.	LICENSES AND	PERMITS COMMITTEE
А.	Committee Report (ID # 13336)	Report of the Committee on Licenses and Permits, meeting on February 10, 2016.
B.	License/Permit 200408	New Used Car Dealers License Class 2, Webster Auto Sales, 61 Prospect St., 0 cars in, 22 out, Mon-Fri 9AM- 7PM, Sat 9AM-3PM. RECOMMENDED: Approved with Conditions
C.	Public Communication 200415	MA Office of Consumer Affairs submitting Lemon Law Sticker Audit results for American Auto Gallery, 682 Mystic Ave. RECOMMENDED: Work Completed
D.	Grant of Location 200426	Submitted by Eversource (NStar Electric) to install 93 feet of conduit in Somerville Avenue from Manhole #8639 to private property at 508-510 Somerville Avenue. RECOMMENDED: Approved
E.	Order 200452	By Ald. Heuston That the Supervisor of Inspectional Services inspect 61 Prospect Street to determine the proper number of vehicles for the lot. RECOMMENDED: Work Completed
F.	Order 200453	By Ald. Connolly That the Director of Traffic and Parking report any violations pertaining to the business at 61 Prospect Street to the Committee on Licenses and Permits. RECOMMENDED: Work Completed
G.	Officer's Communication 200559	Traffic and Parking Director submitting responses to various Board Orders submitted 12/10/15.

		RECOMMENDED: Work Completed
H.	License/Permit 200564	New Used Car Dealer's License Class 2, Mystic Auto Sales, 712 Mystic Ave, 0 cars inside, 10 outside. RECOMMENDED: Approved
<u>16.</u>	OPEN SPACE, E	NVIRONMENT AND ENERGY SPECIAL COMMITTEE
Α.	Committee Report (ID # 13332)	Report of the Special Committee on Open Space, Environment and Energy, meeting on February 2, 2016.
B.	Order 199712	By Ald. Niedergang That the Mayor's Aide and/or the Director of Sustainability and the Environment report to this Board on progress in addressing the litter from Globe Direct circulars, and whether Cambridge's agreement with Globe Direct is being implemented here. RECOMMENDED: Work Completed
C.	Order 199715	By Ald. Niedergang That the Commissioner of Public Works and the Director of Sustainability and the Environment report to this Board on why the city is not using its authority to request a recycling plan for apartment buildings, which has resulted in some apartment dwellers not being able to participate in recycling. RECOMMENDED: Work Completed
D.	Order 200032	By Ald. Heuston That the Commissioner of Public Works inform this Board about Eversource's pruning of trees and vegetation near power lines, and whether there will be oversight of such work by city staff. RECOMMENDED: Work Completed
E.	Order 200040	By Ald. Niedergang, Ballantyne That the Director of the Office of Sustainability and the Environment and the Commissioner of Public Works discuss with this Board, curbside gardens or bioswales, to reduce the amount of impervious surfaces, improve the environment, and beautify our streets. RECOMMENDED: Work Completed
F.	Order 200045	By Ald. McLaughlin That the Director of SPCD (Transportation and Infrastructure) plant trees at 9-11 Indiana Avenue, along Kensington Avenue and on the corner of Tufts and Cross Streets. RECOMMENDED: Work Completed
G.	Order 200298	By Ald. Ballantyne That the Commissioner of Public Works explain why 12 foot high tree stumps remain after trees have been cut. RECOMMENDED: Work Completed

H.	Order 200300	By Ald. Ballantyne That the Director of SPCD and the Commissioner of Public Works advise this Board of the minimum ADA requirements for hard surfaces at publicly accessible open space. RECOMMENDED: Work Completed
I.	Order 200439	By Ald. McLaughlin, Rossetti That the Mayor's Aide and/or the Director of Sustainability and the Environment update this Board on addressing the litter from Globe Direct circulars. RECOMMENDED: Work Completed
J.	Order 200531	By Ald. Niedergang That the Director of the Recreation report to this Board on the use of city playing fields by non-Somerville leagues, including the residency of their participants. RECOMMENDED: Work Completed
17.	RODENT ISSUE	ES SPECIAL COMMITTEE
А.	Committee Report (ID # 13333)	Report of the Special Committee on Rodent Issues, meeting on February 2, 2016.
B.	Order 198190	By Ald. McLaughlin That the Director of SPCD (ISD) inspect the property and field around 11 Austin Street for rodents. RECOMMENDED: Work Completed
C.	Order 198374	By Ald. McLaughlin That the Director of SPCD communicate with the appropriate state agency to address the rodent issues on, and the underutilization of, the land behind 11 Austin Street and I-93. RECOMMENDED: Work Completed
D.	Order 199342	By Ald. McLaughlin That the Director of SPCD (ISD) inspect the corner of Everett Avenue and Cross Street for rodents and bait accordingly. RECOMMENDED: Work Completed
E.	Order 199367	By Ald. McWatters That the Director of SPCD (ISD) bait the sewers on Grand View Avenue for rodents. RECOMMENDED: Work Completed
F.	Order 199368	By Ald. McLaughlin That the Director of SPCD (ISD) inspect the area on McGrath Highway behind 3 Chester Avenue for rodent activity, issue fines as indicated, and direct the property owner to clean and bait the area. RECOMMENDED: Work Completed

G.	Order 199422	By Ald. Niedergang That the Director of SPCD (ISD) inspect the parking and trash area that opens onto Lowell Street, behind Modelo Bakery and White Sport Pizza in Magoun Square for signs of rodent activity and take appropriate action. RECOMMENDED: Work Completed
H.	Order 199670	By Ald. McLaughlin That the Supervisor of Inspectional Services inspect the businesses along East Broadway for rodent issues. RECOMMENDED: Work Completed
I.	Order 199674	By Ald. McLaughlin That the Supervisor of Inspectional Services address rodent complaints along Kensington and Pennsylvania Avenues, and Dell, Ellsworth, Cutter, and Medford Streets. RECOMMENDED: Work Completed
J.	Order 199680	By Ald. McLaughlin That the Director of Communications use the city's Connect CTY system to remind residents of the importance of rodent prevention. RECOMMENDED: Work Completed
K.	Order 199682	By Ald. McLaughlin That the Supervisor of Inspectional Services update this Board on rodent control measures at construction sites. RECOMMENDED: Work Completed
L.	Order 199684	By Ald. McLaughlin That the Supervisor of Inspectional Services consider using rodent birth control on MacArthur Street. RECOMMENDED: Work Completed
M.	Order 199687	By Ald. Lafuente, White Jr., Sullivan That the Supervisor of Inspectional Services inspect the Healy School for trash and rodents and bait/set traps as necessary. RECOMMENDED: Work Completed
N.	Order 199689	By Ald. Lafuente, White Jr., Sullivan That the Supervisor of Inspectional Services inspect 41 Marshall Street for overgrowth and rodents and take all appropriate actions. RECOMMENDED: Work Completed
О.	Order 199796	By Ald. Sullivan, White Jr. That the Supervisor of Inspectional Services perform the actions listed within to combat the rodent problem in the city. RECOMMENDED: Work Completed
P.	Order 199883	By Ald. Heuston That the City Clerk request of Representative Tim Toomey that the state address the rodent issue behind 11 Austin Street and I-93. RECOMMENDED: Work Completed

Q.	Order 199884	By Ald. Heuston That the Director of Communications notify the Special Committee on Rodent Issues, within 30 days, of the plan to utilize Connect CTY and other means of communication to remind residents of the importance of rodent prevention, as directed in #199680. RECOMMENDED: Work Completed
R.	Order 200043	By Ald. McLaughlin That the Supervisor of Inspectional Services bait around 240 Pearl street for rodents. RECOMMENDED: Work Completed
S.	Order 200055	By Ald. Sullivan, Gewirtz, White Jr., Connolly, Rossetti That the Supervisor of Inspectional Services update this Board on the rodent control measures recently undertaken on Winter Street. RECOMMENDED: Work Completed
Τ.	Order 200180	By Ald. McLaughlin That the Supervisor of Inspectional Services work with the residents in Kensington Street to alleviate their rodent problems. RECOMMENDED: Work Completed
U.	Order 200245	By Ald. McLaughlin That the Supervisor of Inspectional Services update this Board on the rodent birth control program. RECOMMENDED: Work Completed
V.	Order 200268	By Ald. Sullivan, McLaughlin, White Jr., Rossetti, Connolly That the Supervisor of Inspectional Services review the attached articles on rodent control in Canada and New Zealand and report back to this board if similar measure could be utilized here. RECOMMENDED: Work Completed
W.	Order 200269	By Ald. Sullivan, McLaughlin, White Jr., Rossetti, Connolly That the Supervisor of Inspectional Services report to this Board, whether the current rodent bait is a Warfarin product and if not, whether Warfarin might be more successful, RECOMMENDED: Work Completed
X.	Order 200270	By Ald. Sullivan, McLaughlin, White Jr., Rossetti, Connolly That the Supervisor of Inspectional Services conduct a follow-up meeting regarding the MacArthur Street rodent infestation. RECOMMENDED: Work Completed
Y.	Order 200438	By Ald. McLaughlin That the Supervisor of Inspectional Services address rodent problems on Wigglesworth Street, Cross Street Place, and Everett Avenue. RECOMMENDED: Work Completed

Z.	Order 200635	By Ald. Heuston, and the Entire Board That the Supervisor of Inspectional Services inform this Board of rodent baiting services purchased and delivered for the development at 197 Washington Street. RECOMMENDED: Work Completed
AA.	Order 200636	By Ald. Heuston That the Supervisor of Inspectional Services describe before this Board the enforcement of rodent baiting requirements during demolition and construction, and the availability of such information to the public. RECOMMENDED: Work Completed
AB.	Order (ID # 13355)	By Ald. Connolly That the City Solicitor petition the courts to allow the city onto properties requiring remedial action when there is an emergency public health issue.
AC.	Order (ID # 13356)	By Ald. Heuston That the Supervisor of Inspectional Services conduct a walk-through of Bonair Street, McArthur Street and Autumn Avenue and order new barrels for those who need them.

## 18. VETERANS AND PUBLIC SERVICES COMMITTEE

A.	Committee	Report of the Committee on Veterans and Public
	Report	Services, meeting on February 3, 2016.
	(ID # 13334)	

B.	Resolution	By Ald. Heuston, Taylor
	195831	That the Dedication Committee name the corner of
		Tremont Street and Webster Avenue in memory of
		Vietnam War veteran Arthur J. Downey.
		RECOMMENDED: Work Completed

- C. Resolution 199266 By Ald. McLaughlin That the Administration consider holding a ceremony to commemorate the 50th anniversary of the Vietnam War. RECOMMENDED: Work Completed
- D. Resolution 199517 By Ald. McLaughlin, and the Entire Board That the Veterans Service Department remain autonomous and separate from the Health and Human Services Department. RECOMMENDED: Work Completed

# **COMMUNICATIONS OF THE MAYOR**

Mayor's Request Requesting that this Board convene in Executive Session (ID # 13360)
to update the Board on the city's litigation related to the Wynn casino.

- 20. Mayor's Request Requesting that this Board convene in Executive Session (ID # 13361) to update the Board on a pending USERRA claim by the Federal Government.
- 21. Mayor's Request Requesting approval to submit a Statement of Interest to (ID # 13325) the MSBA for the Winter Hill Community School.

## **COMMUNICATIONS OF CITY OFFICERS**

22. Officer's City Clerk requesting approval of his Public Official's Request Bond. (ID # 13344)

#### NEW BUSINESS

- 23. License/Permit Public Event Permit, Groundwork Somerville Boil (ID # 13372) Down, Community Growing Center, Mar 11-12, 8:30AM-4PM.
- 24. License/Permit Public Event Permit, Johnny D's Second Line Brass (ID # 13374) Band Farewell Parade, Davis Sq area, Mar 13, 5:30-6:49PM.
- 25. License/Permit Public Event Permit, St Benedict Parish Passion (ID # 13362) Procession, Arlington St area, Mar 25, Noon-7PM.
- 26. License/Permit Public Event Permit, Somerville Birdhouse Project, (ID # 13375) Community Path, Apr 16, 9AM-3PM (raindate Apr 17).
- 27.License/PermitPublic Event Permit, Independent Film Festival, Davis<br/>(ID # 13371)Sq area, Apr 27-May 4, 6PM-Midnite.
- 28. License/Permit (ID # 13369) Public Event Permit, Arts Council Mayor's Spring Clean-up, citywide and Mystic Boathouse, Apr 30, 9AM-3PM (raindate May 1).
- 29. License/Permit (ID # 13376) Public Event Permit, Tufts Graduate Student Council 5K Walk/Run, Tufts area, Apr 30, 9AM-3PM (raindate May 1).
- 30.License/PermitPublic Event Permit, Tuftonia's Day, Tufts Campus, May<br/>(ID # 13373)2, 7AM-11:30PM (raindate May 3).
- 31.License/Permit<br/>(ID # 13363)Public Event Permit, St Benedict Parish Marion<br/>Procession, Arlington St area, May 8, 10:30AM-Noon.
- 32.License/Permit<br/>(ID # 13368)Public Event Permit, Arts Council Porchfest, citywide,<br/>May 21, Noon-6PM (raindate May 22).

33.	License/Permit (ID # 13364)	Public Event Permit, Arts Council Squeezebox Slam, Seven Hills Park, Jun 12, 10AM-7PM.
34.	License/Permit (ID # 13365)	Public Event Permit, Arts Council Joe's Jazz and Blues Festival, Nathan Tufts Park, Jun 18, 10AM-7PM (raindate Jun 19).
35.	License/Permit (ID # 13367)	Public Event Permit, Arts Council Family Fun Day, Trum Field, Jun 25, 10AM-5PM (raindate Jun 26).
36.	License/Permit (ID # 13366)	Public Event Permit, Arts Council Mayor's Fireworks, Trum Field area, Jun 30, 1-10:30PM (raindate Jul 7).
37.	License/Permit (ID # 13370)	Public Event Permit, Arts Council ArtBeat, Davis Sq, Jul 15 Noon-10PM, Jul 16 8AM-8PM (raindate Jul 17).
38.	License/Permit (ID # 13350)	Transferring Taxi Medallion License, Medallion 66 from Somerville Taxi Inc. to LTK Inc.
39.	License/Permit (ID # 13352)	New Automatic Amusement Devices License, Cuisine En Locale, 156 Highland Ave, 2 devices.
40.	License/Permit (ID # 13351)	New Pool Table License, Cuisine En Locale, 156 Highland Ave, 2 pool tables.
41.	Public Communication (ID # 13346)	Patricia Wild submitting comments re: #200102, a proposed inclusionary housing ordinance.
42.	Public Communication (ID # 13347)	David and Leah Ekbladh submitting comments re: #200639, a raised crosswalk at the West Somerville Neighborhood School.
43.	Public Communication (ID # 13348)	Dan Rosan submitting comments re: #200639, a raised crosswalk at the West Somerville Neighborhood School.
44.	Public Communication (ID # 13349)	Mark Jewell submitting comments re: #200639, a raised crosswalk at the West Somerville Neighborhood School.
45.	Public Communication (ID # 12252)	Laura Beretsky submitting comments re: #200639, a raised crosswalk at the West Somerville Neighborhood

46. Public Coleen Cunningham submitting comments re: #200639, Communication (ID # 13354) School.

# SUPPLEMENTAL ITEMS

47.	Order (ID # 13377)	By Ald. McLaughlin That the Supervisor of Inspectional Services enforce the snow shoveling ordinance on absentee landlords in East Somerville.
48.	Order (ID # 13378)	By Ald. McLaughlin That the Director of Traffic and Parking place a SLOW sign on the Cross Street bridge.
49.	Order (ID # 13379)	By Ald. McLaughlin That the Commissioner of Public Works consider using pet safe salt on city walkways.
50.	Order (ID # 13380)	By Ald. McLaughlin That the Commissioner of Public Works address the icing on Assembly Row sidewalks.
51.	Order (ID # 13386)	By Ald. White Jr. That the Supervisor of Inspectional Services report to this Board on the differences between the Stretch Energy Code and the International Energy Conservation Code 2012, and which Code the City is applying.
52.	Order (ID # 13387)	By Ald. White Jr. That the Director of SPCD provide this Board with a written breakdown of all special permit and variance applications for the last 3 years, broken out by building type, application type, and purpose.
53.	Order (ID # 13388)	By Ald. White Jr. That the Chief Assessor provide this Board with the final breakdown of residential exemptions for the current fiscal year, by property type, with comparisons to prior fiscal years.
54.	Resolution (ID # 13389)	By Ald. White Jr., Rossetti That the Administration provide assistance, including financial where appropriate, to resident homeowners whose property is damaged from the roots of trees planted by the City.

55.	Mayor's Request (ID # 13384)	Requesting an appropriation of \$175,000 from Unreserved Fund Balance ("Free Cash") to the Law Department Legal Services Account to fund the hire of previously approved outside legal counsel.
56.	Mayor's Request (ID # 13264)	Requesting an appropriation of \$100,000 from Unreserved Fund Balance ("Free Cash") to the Health and Human Services Professional and Technical Services Account to fund enhanced youth services/youth development programming.
57.	Mayor's Request (ID # 13383)	Requesting the transfer of \$90,000 from the DPW Sanitation Rubbish Removal Account to the DPW Lights and Lines Overtime Account to balance the account.
58.	Mayor's Request (ID # 13357)	Requesting the reappointment of Paula Machado to the Board of Health.
59.	Mayor's Request (ID # 13358)	Requesting the reappointment of Dr. Brian Green to the Board of Health.
60.	Mayor's Request (ID # 13359)	Requesting the reappointment of Babette Mello to the Board of Health.
61.	Officer's Communication (ID # 13319)	DPW Commissioner responding to various Board Orders submitted 1/14/16.
62.	Officer's Communication (ID # 13382)	DPW Commissioner responding to various Board Orders submitted 1/28/16.
63.	Public Communication (ID # 13390)	24 residents submitting comments re: #200102, a proposed inclusionary housing ordinance.
64.	Public Communication (ID # 13385)	Leiran Biton submitting comments re: #200639, a raised crosswalk at the West Somerville Neighborhood School.
	LATE ITEMS	

# ADJOURNMENT