

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

REGULAR MEETING MINUTES

September 12, 2013, 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	Absent	
Dennis M. Sullivan	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	
Maureen Bastardi	Ward One Alderman	Present	
Maryann M. Heuston	Ward Two Alderman	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	
Courtney O'Keefe	Ward Five Alderman	Present	
Rebekah Gewirtz	Ward Six Alderman	Present	
Robert C. Trane	Ward Seven Alderman	Absent	

1. #195499 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

2. #195500 Approval of the Minutes of the Regular Meeting, July 11, 2013.
Minutes

RESULT: APPROVED

CITATIONS

PUBLIC HEARINGS

3. #195317 Grant of Location submitted by Lightower Fiber Networks, for 154 feet of
Grant of Location conduit in Mystic Ave., from a manhole to 5 Middlesex Ave.

RESULT: APPROVED

4. #195318 Grant of Location submitted by Lightower Fiber Networks, for 250 feet of
Grant of Location conduit in Broadway, from a manhole to 1020 Broadway.

RESULT: APPROVED

5. #195319 Grant of Location submitted by Lightower Fiber Networks, for 155 feet of Grant of Location conduit in Broadway, from a manhole to 366 Broadway.

RESULT: APPROVED

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

6. #195501 By Ald. Gewirtz
Order That the Commissioner of Public Works ensure that there is street sweeping on Willow Avenue, between Kidder Avenue and Broadway, and report to the Ward 6 Alderman why this section has routinely been missed on the street sweeping route.

RESULT: PLACED ON FILE

7. #195502 By Ald. Gewirtz
Order That the Environmental Programs Manager report to the Ward 6 Alderman and the Committee on Public Health and Safety, the impact of bamboo and whether it is a plant that should be limited due to its invasive nature.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

8. #195503 By Ald. Gewirtz, and the Entire Board
Order That the Environmental Programs Manager submit a written report to this Board, within 7 days, on Somerville's involvement in the Earth Hour City Challenge.

RESULT: APPROVED

FOLLOWUP: Environment and Energy Special Committee

9. #195504 By Ald. Gewirtz
Order That the Commissioner of Public Works sweep the parking lot on Grove Street no earlier than 5:30 AM daily, in deference to nearby residents.

RESULT: APPROVED

10. #195505 By Ald. Gewirtz
Order That the Director of SPCD (ISD) bait the sewers on Cottage Avenue for rodents.

RESULT: APPROVED

11. #195506 Order By Ald. Gewirtz That the Commissioner of Public Works include Meacham Road for repaving in the new street paving cycle.

RESULT: APPROVED

12. #195507 Order By Ald. Gewirtz That the Environmental Programs Manager and the Director of SPCD report to this Board whether there is currently a city tax in place when residents want to install solar panels on their homes, and if so, work with this Board to eliminate or reduce it significantly.

RESULT: APPROVED

FOLLOWUP: Environment and Energy Special Committee

13. #195508 Order By Ald. Gewirtz That the Director of SPCD (ISD) visit the Pinkberry in Davis Square to determine if their coolant machines are in violation of the noise ordinance and to work with them to find alternative solutions to their cooling needs, as residents live close by.

RESULT: APPROVED

14. #195509 Resolution By Ald. Gewirtz That the Administration provide an update on air traffic noise over Somerville and continuing efforts to reduce this noise.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

15. #195510 Order By Ald. Gewirtz That the Director of SPCD make the Somerville by Design Davis Square series information available as soon as possible and ensure that follow up steps are pursued based on recommendations made.

RESULT: APPROVED

16. #195511 Resolution By Ald. Gewirtz, Connolly, Desmond, Sullivan, White Jr. That the Licensing Commission continue the application for Somerville Beer Works, 240 Elm Street, previously scheduled for September 16, 2013, so that a neighborhood meeting may be scheduled prior to appearing before the Commission.

RESULT: APPROVED

17. #195512 Order By Ald. O'Keefe
That the Director of Communications warn landlords about "couch surfing".

RESULT: APPROVED

18. #195513 Order By Ald. O'Keefe
That the Commissioner of Public Works replace the sidewalk panel at 42 Morrison Avenue.

RESULT: APPROVED

19. #195514 Order By Ald. O'Keefe
That the Chief of Police order directed patrols to Fisk Avenue.

RESULT: APPROVED

20. #195515 Order By Ald. O'Keefe
That the Director of SPCD (ISD) bait Rogers Avenue for rodents.

RESULT: APPROVED

21. #195516 Order By Ald. O'Keefe
That the Director of Traffic and Parking observe and re-calibrate the light at Lowell and Medford Streets.

RESULT: APPROVED

FOLLOWUP: Traffic and Parking Committee

22. #195517 Order By Ald. O'Keefe
That the Chief of Police enforce the DO NOT BLOCK INTERSECTION directive at Lowell and Medford Streets in Magoun Square and provide a report to the Ward 5 Alderman.

RESULT: APPROVED

23. #195518 Order By Ald. O'Keefe
That the Commissioner of Public Works repair the street light at Highland Road and Boston Avenue.

RESULT: APPROVED

24. #195519 Order By Ald. Bastardi
That the City Solicitor draft an ordinance that all commercial gas tank replacements require permit approval by this Board.

RESULT: APPROVED

FOLLOWUP: Legislative Matters Committee

25. #195520 Resolution
By Ald. Heuston, and the Entire Board
That the Administration pursue the willingness of Tufts University to pay property taxes as the successful bidder to redevelop the Powder House Community School, and include tax payments in the final agreement.

RESULT: APPROVED

26. #195521 Order
By Ald. Heuston
That the Commissioner of Public Works and the Director of SPCD (ISD) implement a plan to address trash and code violations each May and September, when student moves have the greatest impact on the City.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

27. #195522 Order
By Ald. Heuston
That the Chief of Police assign traffic enforcement officers in Union Square, at the intersection of Washington Street/Webster Avenue and Washington Street/Somerville Avenue, to monitor drivers who ignore the traffic signals and block the intersection.

RESULT: APPROVED

28. #195523 Order
By Ald. Heuston
That the Director of Traffic and Parking and the Traffic Engineer monitor the morning and afternoon traffic on Webster Avenue at the Prospect Hill Charter school, and submit recommendations to the Ward 2 Alderman regarding solutions to traffic issues caused by dropoffs and pickups.

RESULT: APPROVED

29. #195524 Order
By Ald. Taylor, Desmond
That the Commissioner of Public Works notify the appropriate utility to replace the leaning pole at the corner of Craigie and Summer Streets.

RESULT: APPROVED

30. #195525 Order
By Ald. Taylor
That the Commissioner of Public Works replace the street lights at the corner of Vinal Avenue and Highland Avenue.

RESULT: APPROVED

31. #195526 Order By Ald. Connolly
That the Commissioner of Public Works repair the dangerous sinkhole at Morrison Avenue and Grove Street.

RESULT: APPROVED

32. #195527 Order By Ald. Connolly, Gewirtz
That the Commissioner of Public Works repair the non-working street lamps in Davis Square Plaza and the street lamp on the corner of Dover and Holland Streets.

RESULT: APPROVED

33. #195528 Order By Ald. Sullivan, Bastardi, Heuston, Lafuente, White Jr., O'Keefe
That this Board's Committee on Public Utilities and Works explore Boston's Code Ordinance CBC 9-1.3, which requires private rental units to be registered on an annual basis and inspections to be conducted for non-exempt units on a 5-year cycle.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

34. #195529 Order By Ald. Sullivan, Lafuente, White Jr., Connolly, Desmond
That the Commissioner of Public Works repair the street light at 10 Melville Road.

RESULT: APPROVED

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

35. FINANCE COMMITTEE

- A. #195530 Committee Report Report of the Committee on Finance, meeting on September 10, 2013.

RESULT: APPROVED

- B. #195295 Mayor's Request Requesting an appropriation of \$120,000 and authorization to borrow that amount in a bond for the renovation of the Highland Avenue Fire Station, Engine #7.

RESULT: APPROVED. [UNANIMOUS]
AYES: Connolly, Sullivan, White Jr., Bastardi, Heuston, Taylor,
Lafuente, O'Keefe, Gewirtz
ABSENT: Bruce M. Desmond, Robert C. Trane

- C. #195309 Mayor's Request Requesting that this Board appropriate \$400,000, and borrow that amount in a bond, for design and engineering services on Central Broadway, from Foss Park to Magoun Square.

RESULT: APPROVED. [UNANIMOUS]
AYES: Connolly, Sullivan, White Jr., Bastardi, Heuston, Taylor,
Lafuente, O'Keefe, Gewirtz
ABSENT: Bruce M. Desmond, Robert C. Trane

- D. #195375 Mayor's Request Requesting authorization to borrow \$500,000 in a bond, and appropriate the same amount, for Kenney Park Improvements.

RESULT: APPROVED. [UNANIMOUS]
AYES: Connolly, Sullivan, White Jr., Bastardi, Heuston, Taylor,
Lafuente, O'Keefe, Gewirtz
ABSENT: Bruce M. Desmond, Robert C. Trane

- E. #195385 Mayor's Request Requesting acceptance of a grant of \$186,976 from the MA Office of Public Safety and Security for the Police Dept., for State 911 Department Support.

RESULT: APPROVED

- F. #195386 Mayor's Request Requesting the acceptance of a gift of \$186,583.56 from the Boston Office of Emergency Management as part of the Urban Area Security Initiative for a Dispatch Console and related equipment.

RESULT: APPROVED

- G. #195387 Mayor's Request Requesting the acceptance of a \$65,810 grant from the MA Office of Public Safety for 911 training and emergency medical dispatch services.

RESULT: APPROVED

- H. #195475 Mayor's Request Requesting an appropriation and authorization to borrow \$2,307,650 in a bond for the Fire Dept.'s purchase of Fire Apparatus.

RESULT: APPROVED. [UNANIMOUS]
AYES: Connolly, Sullivan, White Jr., Bastardi, Heuston, Taylor,
Lafuente, O'Keefe, Gewirtz
ABSENT: Bruce M. Desmond, Robert C. Trane

36. LICENSES AND PERMITS COMMITTEE

- A. #195531 Report of the Committee on Licenses and Permits, meeting on September Committee Report 10, 2013.

RESULT: APPROVED

- B. #194802 License/Permit New Garage License, 11 Rossmore St. LLC, 11 Rossmore St., Storing 8 autos outside and 2 autos inside only.

RESULT: PLACED ON FILE

- C. #195316 Grant of Location Grant of Location submitted by IES Inc., for 3 monitoring wells near 587-593 Somerville Ave.

RESULT: APPROVED WITH CONDITIONS

CONDITION: That the Petitioner communicate to the DPW this Board's concerns about damage to the public ways.

- D. #195464 License/Permit Amending Used Car Dealers License Class 2, Master Used Cars, 121 Prospect St., adding hours Sun 11AM-4PM.

RESULT: NOT APPROVED

- E. #195465 License/Permit New Used Car Dealer Class 2, Inman Motors Sales, 463 McGrth Hwy., 30 autos outside, Mon-Fri 9AM-7PM, Sat 9AM-5PM.

RESULT: APPROVED AS AMENDED

AMENDED: Approved for 30 days only, for 25 vehicles outside only.

- F. #195489 License/Permit New Garage License, Inman Motors Sales, 463 McGrath Hwy., 3 autos inside.

RESULT: APPROVED AS AMENDED

AMENDED: Approved for 30 days only.

- G. #195490 License/Permit New Livery License, Luxor Car Services, 29 Bailey Rd., 1 vehicle.

RESULT: APPROVED

COMMUNICATIONS OF THE MAYOR

37. #195532 Mayor's Request Requesting authorization to borrow \$500,000 in a bond, and appropriate the same amount, for ADA Accessibility - Building Improvements.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

38. #195533 Mayor's Request Requesting authorization to borrow \$150,000 in a bond, and appropriate the same amount, to purchase a compacting garbage truck and snow plow

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

39. #195534 Mayor's Request Requesting the expenditure of \$1,110.47 of FY14 appropriations to pay six outstanding FY13 invoices in the Police Department.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

40. #195535 Mayor's Request Requesting approval to extend the Traffic and Parking Dept.'s Delinquent Collections Contract for one year.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

41. #195536 Mayor's Request Requesting acceptance of a \$23,562 grant from the Department of Justice, for the Police to purchase a Ford Transit Connect XLT Van.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

42. #195537 Mayor's Request Requesting acceptance of a \$22,030 grant from the MA Emergency Management Agency, for the Fire Dept. to enhance its disaster response.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

43. #195538 Mayor's Request Requesting approval of a \$19,175 grant from the MA Cultural Council for the Arts Council's ArtsUnion programming.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

44. #195539 Mayor's Request Requesting approval of a \$5,500 grant from the MA Cultural Council for the Arts Council's operations.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

COMMUNICATIONS OF CITY OFFICERS

45. #195540 Officer's Communication Planning Board conveying its recommendations re: #194483, an ordinance amending the zoning map for Prospect Hill and Somerville Avenue.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Land Use Committee

46. #195541 Officer's Communication City Clerk responding to #195497 re: noncriminal violations.

RESULT: PLACED ON FILE

NEW BUSINESS

47. #195542 License/Permit Public Event Permit, Chandler St. Block Party, Sep 21, 3-7PM (raindate Sep 22).

RESULT: APPROVED

48. #195543 License/Permit Public Event Permit, Olde Magoun Saloon Paulaner Biergarten Tour, Magoun Sq. Parking Lot, Oct 5-6, 9AM-8PM.

RESULT: APPROVED

49. #195544 License/Permit New Drainlayer License, Brooksdale Construction.

RESULT: APPROVED

50. #195545 License/Permit Renewing Lodging House License, Tufts University, 45 Sawyer Ave.

RESULT: APPROVED

51. #195546 License/Permit Renewing Lodging House License, Alpha Tau Omega Fraternity, 134 Professors Row.

RESULT: APPROVED

52. #195547 License/Permit Renewing Lodging House License, Theta Delta Chi Fraternity, 123 Packard Ave.

RESULT: APPROVED

53. #195548 License/Permit Renewing Outdoor Seating License, Mike's Restaurant, 8 Davis Sq.

RESULT: APPROVED

54. #195549 License/Permit Sign/Awning Permit, Bright Horizons, 99 Dover St., 1 sign on Meacham Rd.

RESULT: APPROVED

55. #195550 License/Permit Sign/Awning Permit, Santander Bank, 403 Highland Ave., 2 signs.

RESULT: APPROVED

56. #195551 License/Permit Sign/Awning Permit, Ebi Sushi, 290 Somerville Ave., 1 sign.

RESULT: APPROVED

57. #195552 Public Communication Lisa White and Michael LaVigne submitting comments re: #195464, Master Used Cars petition to operate Sundays as a Used Car Dealer.

RESULT: PLACED ON FILE

58. #195553 Public Communication Leroy Hoskins submitting comments re: #195464, Master Used Cars petition to operate Sundays as a Used Car Dealer.

RESULT: PLACED ON FILE

SUPPLEMENTAL ITEMS

59. #195554 Mayor's Request Requesting approval to retain outside legal counsel to provide services regarding casino proposals before the MA Gaming Commission and surrounding community impacts.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

60. #195555 Mayor's Request Requesting the appointment of Captain David Fallon to the position of Deputy Chief of Police.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

61. #195556 Mayor's Request Requesting the appointment of Police Lieutenant James Donovan to the position of Captain.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

62. #195557 Mayor's Request Requesting the appointment of Vivian Taylor to the Human Rights Commission.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

63. #195558 Mayor's Request Requesting the appointment of Andre Greene to the Human Rights Commission.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

64. #195559 Mayor's Request Requesting the appointment of Jenny Dworkin to the Commission on Women.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

65. #195560 Mayor's Request Requesting the appointment of Rebecca Booth-Fox to the Multicultural Affairs Commission.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

66. #195561 Mayor's Request Requesting the appointment of Edwin Torres as Constable.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

67. #195562 Officer's Communication Director of Sustainability and Environment submitting a description of activities under the Green Communities Grant (#195296).

RESULT: PLACED ON FILE

FOLLOWUP: Environment and Energy Special Committee

68. #195563 License/Permit Public Event Permit, Celebrity Series of Boston & Arts Council Street Piano Project, Davis Sq. Statue Park, Sep 27-Oct 14, 9AM-10PM.

RESULT: APPROVED

69. #195564 License/Permit Public Event Permit, Police Dept. Collier Kickball Extravaganza, Trum Field, Oct 5, 10AM-7PM.

RESULT: APPROVED

70. #195565 License/Permit Public Event Permit, Radio BDC Festival on the Square, Union Sq. Somerville Ave. & Washington St., Oct 13, 6AM-9:30PM.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

71. #195566 License/Permit Temporary Grant of Location, Lighttower Fiber Networks, Highland Ave. to Crocker St.

RESULT: APPROVED WITH CONDITIONS

CONDITION: Petitioner must remove the wire and transfer it to an underground conduit within 6 months.

72. #195567 License/Permit Temporary Grant of Location, Lighttower Fiber Networks, Beacon St. to Eustis St.

RESULT: NOT APPROVED

73. #195568 License/Permit Temporary Grant of Location, Lighttower Fiber Networks, Beacon St. to Sacramento St.

RESULT: NOT APPROVED

LATE ITEMS

74. #195569 Resolution By Ald. Heuston, and the Entire Board That this Board requests that the Administration enroll the City in the World Wildlife Fund's City Earth Challenge.

RESULT: APPROVED

FOLLOWUP: Environment and Energy Special Committee

75. #195570 Order By Ald. O'Keefe That the Commissioner of Public Works consider widening the sidewalks on Trull Street during the next round of street improvements.

RESULT: APPROVED

76. #195571 Mayor's Request Requesting an appropriation of \$500,000 and authorization to borrow that amount in a bond to retain a qualified planning and land use concern to develop a major plan change to existing Assembly Square Urban Renewal Plan.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

77. #195572 Officer's Communication DPW Commissioner responding to various Board Orders submitted this evening.

RESULT: PLACED ON FILE

FOLLOWUP: Public Utilities and Public Works Committee

78. #195573 License/Permit Public Event Permit, First Church Somerville DragGospel Festival, Francesca Ave. at 89 College Ave., Oct 20, 8AM-2PM.

RESULT: APPROVED

ADJOURNMENT

Adjournment

Submitted by John J. Long, City Clerk