

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

**REGULAR MEETING MINUTES**

May 23, 2013, 7:00 PM  
Aldermanic Chambers  
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*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**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
John M Connolly	Alderman At Large	Absent	
Bruce M. Desmond	Alderman At Large	Present	
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	Absent	
Courtney O'Keefe	Ward Five Alderman	Present	
Rebekah Gewirtz	Ward Six Alderman	Present	
Robert C. Trane	Ward Seven Alderman	Present	

1. #194953 Call of the Roll.  
Roll Call

**RESULT: PLACED ON FILE**

2. #194954 Approval of the Minutes of the Regular Meeting, April 25, 2013.  
Minutes

**RESULT: APPROVED**

**CITATIONS**

3. #194955 Citation  
By Ald. O'Keefe, Heuston, Gewirtz, and the Entire Board and the Mayor Commending John O'Leary and James Legee, Jr., the Grand Marshals of the 2013 Memorial Day Parade, occurring this Sunday, May 26, at 1 PM.

**RESULT: APPROVED**

4. #194956 Citation By Ald. Bastardi, and the Entire Board and the Mayor Commending the Full Circle High School and Next Wave Junior High School on the auspicious occasion of their 40th anniversary of outstanding service to Somerville's youth.

**RESULT: LAID ON THE TABLE**

**PUBLIC HEARINGS**

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

5. #194957 Order By Ald. O'Keefe That the Chief of Police obtain a schedule of Trum Field activities and order directed patrols to ensure that all users act appropriately when using the field and leave at the scheduled time.

**RESULT: APPROVED**

6. #194958 Order By Ald. O'Keefe That the Director of Traffic and Parking and the Traffic Engineer investigate the parking situation on Cedar Street, near Trum Field, that is causing accessibility issues for neighbors getting in and out of their driveways during the spring to fall months.

**RESULT: APPROVED**

**FOLLOWUP:** Traffic and Parking Committee

7. #194959 Resolution By Ald. O'Keefe That the Administration inform the Ward 5 Alderman on the bond request to update the bleachers at Trum Field.

**RESULT: APPROVED**

**FOLLOWUP:** Finance Committee

8. #194960 Order By Ald. O'Keefe That the Director of Veterans Services replace the faded pictures at Henry Hanson Park.

**RESULT: APPROVED**

**FOLLOWUP:** Veterans and Public Services Committee

9. #194961 Order By Ald. O'Keefe That the Director of Traffic and Parking, the Traffic Engineer, the Chief of Police and the Chief Fire Engineer investigate travel over the Lowell Street bridge, northbound towards Magoun Square, and offer low-cost fixes to improve the visibility for both motorists and cyclists.

**RESULT: APPROVED**

10. #194962  
Order  
By Ald. Desmond, Taylor  
That the Commissioner of Public Works secure the flagpole ropes at the Prospect Hill monument so they don't bang against the flagpole.

**RESULT: APPROVED**

11. #194963  
Order  
By Ald. Desmond, Taylor  
That the Commissioner of Public Works repair the sidewalk panels on Oxford Street near 73 Central Street.

**RESULT: APPROVED**

12. #194964  
Order  
By Ald. Desmond, Taylor  
That the Commissioner of Public Works cut back the trees at 75 Central Street and on the Oxford Street side of 73 Central Street.

**RESULT: APPROVED**

13. #194965  
Order  
By Ald. Lafuente, White Jr., Sullivan  
That the Director of Traffic and Parking install a STOP sign on Melville Street, at the intersection of Ten Hills Road.

**RESULT: APPROVED**

14. #194966  
Order  
By Ald. Lafuente, White Jr., Sullivan  
That the Director of SPCD (ISD) bait Marshall Street in its entirety, especially in the area of Pearl Street.

**RESULT: APPROVED**

15. #194967  
Order  
By Ald. Lafuente, White Jr., Sullivan  
That the Chief of Police investigate commercial vehicle overnight parking on and around Wheatland Street, including vehicles with regular plates being used for commercial work.

**RESULT: APPROVED**

**FOLLOWUP:** Public Health and Public Safety Committee

16. #194968  
Ordinance  
By Ald. White Jr., Gewirtz, Lafuente, Sullivan  
Requesting approval of the attached Ordinance Regulating Campaign Contributions from Those Seeking Contracts, Zoning Relief, the Purchase of City Property, or Financial Assistance from the City.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Legislative Matters Committee

17. #194969 Order By Ald. White Jr., and the Entire Board That the Chief Fire Engineer appear before the Committee on Public Health and Safety to discuss the travel of ethanol trains through the City.

**RESULT: APPROVED**

**FOLLOWUP:** Public Health and Public Safety Committee

18. #194970 Resolution By Ald. Gewirtz That the Administration confirm that the city will contract for a crosswalk bump-out at Elm and Beech Streets in coordination with the City of Cambridge in 2014 and provide a detailed timeline on this process.

**RESULT: APPROVED**

**FOLLOWUP:** Finance Committee

19. #194971 Resolution By Ald. Gewirtz That the Administration reduce the fee charged to the Davis Square Farmer's Market for use of the Herbert Street lot, as the Market provides a tremendous amenity to the Square.

**RESULT: APPROVED**

**FOLLOWUP:** Finance Committee

20. #194972 Order By Ald. Gewirtz That the Commissioner of Public Works update the Ward 6 Alderman on the new street cleaning and trash barrel maintenance for Davis Square, and evaluate whether more barrels would improve conditions.

**RESULT: APPROVED**

**FOLLOWUP:** Public Utilities and Public Works Committee

21. #194973 Order By Ald. Bastardi That the Director of SPCD (ISD) inform the Ward 1 Alderman of proactive rodent control measures being implemented now that rodent activity and visibility is more prevalent.

**RESULT: APPROVED**

**FOLLOWUP:** Public Health and Public Safety Committee

22. #194974  
Order
- By Ald. Bastardi  
That the Community Liaison ensure that the responsible contractor restore the green space in front of 199 and 201 Broadway that was ruined due to construction debris being stored there all winter.

**RESULT: APPROVED**

23. #194975  
Resolution
- By Ald. Bastardi  
That the East Somerville Community School Oversight Committee ensure that all plaques honoring veterans or others are restored and re-dedicated prior to the opening of school in the fall.

**RESULT: APPROVED**

24. #194976  
Resolution
- By Ald. Bastardi, O'Keefe, Heuston, White Jr.  
That the State Delegation consider prioritizing Somerville residents for employment in all facets of the Green Line Extension Project and provide this Board with a response to this request.

**RESULT: APPROVED**

25. #194977  
Order
- By Ald. Bastardi, Sullivan  
That the Commissioner of Public Works replace the broken locks and routinely clear the walkway at the dog park on New Washington Street.

**RESULT: APPROVED**

26. #194978  
Order
- By Ald. Bastardi  
That the Commissioner of Public Works ensure that street cleaning continues on its designated days on Alston Street and all other streets near the Cross Street Bridge construction.

**RESULT: APPROVED**

27. #194979  
Order
- By Ald. Bastardi  
That the Commissioner of Public Works report to the Ward 1 Alderman the feasibility of adding trees on Fountain Avenue.

**RESULT: APPROVED**

28. #194980  
Order
- By Ald. Heuston  
That the Commissioner of Public Works inspect the tree at 31 Adrian Street to determine its health and take any recommended action.

**RESULT: APPROVED**

29. #194981 Order By Ald. Heuston  
That the Director of SPCD (ISD) inspect 35 Adrian Street for all structural and health code violations, issue appropriate fines, contact the owner regarding remediation, and report back to the Ward 2 Alderman in writing.

**RESULT: APPROVED**

**FOLLOWUP:** Public Health and Public Safety Committee

30. #194982 Order By Ald. Heuston  
That the Director of Traffic and Parking replace the ONE WAY sign at the intersection of Leon and Dickinson Streets.

**RESULT: APPROVED**

31. #194983 Order By Ald. Heuston  
That the Chief of Police order a directed patrol at the intersection of Dickinson and Leon Streets between 6 and 8 AM to stop vehicles traveling in the wrong direction.

**RESULT: APPROVED**

32. #194984 Order By Ald. Connolly  
That the Committee on Public Health and Safety request that the Executive Director of the Cambridge Health Alliance appear to explain, at a public hearing, its recent proposal to reduce funding for services to Somerville's youth community.

**RESULT: APPROVED**

Ald. Heuston recused.

**FOLLOWUP:** Public Health and Public Safety Committee

33. #194985 Order By Ald. Connolly  
That the Commissioner of Public Works inspect the invasive tree roots at 26-28 Winslow Avenue and take any necessary corrective action.

**RESULT: APPROVED**

**UNFINISHED BUSINESS**

**REPORTS OF COMMITTEES**

34. CONFIRMATION OF APPOINTMENTS COMMITTEE

- A. #194986 Report of the Committee on Confirmation of Appointments, meeting on Committee Report May 15, 2013.

**RESULT: APPROVED AS AMENDED**

**AMENDMENT:** #193734 returned to the Committee on Confirmation of Appointments.

- B. #193734 Mayor's Request Requesting the reappointment of Barry Rafkind to the Human Rights Commission.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Confirmation of Appointments Committee

- C. #194085 Mayor's Request Requesting the appointment of Michael Harvey as Constable.

**RESULT: APPROVED**

- D. #194488 Mayor's Request Requesting the appointment of Bruno DeOliveira as Constable.

**RESULT: APPROVED**

- E. #194943 Mayor's Request Requesting the appointment of Brian Pavao to the Police Department.

**RESULT: APPROVED**

- F. #194944 Mayor's Request Requesting the appointment of Paul Anderson to the Police Department.

**RESULT: APPROVED**

- G. #194945 Mayor's Request Requesting the appointment of Samir Messaoudi to the Police Department.

**RESULT: APPROVED**

- H. #194946 Mayor's Request Requesting the appointment of Cassandra Goncalves to the Police Department.

**RESULT: APPROVED**

- I. #194947 Requesting the appointment of Paul Beckford to the Police Department.  
Mayor's Request

**RESULT: APPROVED**

- J. #194948 Requesting the appointment of Juan Ducasse to the Police Department.  
Mayor's Request

**RESULT: APPROVED**

- K. #194949 Requesting the appointment of Matthew Khoury to the Police Department.  
Mayor's Request

**RESULT: APPROVED**

- L. #194950 Requesting the appointment of Mark Pulli to the Police Department.  
Mayor's Request

**RESULT: APPROVED**

- M. #194951 Requesting the appointment of Samuel Stanford to the Police Department.  
Mayor's Request

**RESULT: APPROVED**

35. LAND USE COMMITTEE

- A. #194987 Report of the Committee on Land Use, meeting in Joint Session with the  
Committee Report Planning Board, on May 16, 2013.

**RESULT: APPROVED**

36. LEGISLATIVE MATTERS COMMITTEE

- A. #194988 Report of the Committee on Legislative Matters, meeting on May 14, 2013.  
Committee Report

**RESULT: APPROVED AS AMENDED**

**AMENDMENT:** A Preamble was added to the Ordinance approved in #194056.



- B. #181115 Resolution By Ald. Heuston, Desmond, Sullivan, Taylor, O'Donovan, Gewirtz, Trane, and the Mayor  
That the City hereby re-affirms its longstanding policies in support of all immigrants, and expresses its support for comprehensive immigration reform that combines a path to permanent status for immigrants already here with the humane enforcement of our nation's borders.

**RESULT: PLACED ON FILE**

- C. #194056 Ordinance By Ald. Trane, Taylor, White Jr., Connolly, Bastardi, Desmond, Lafuente, Sullivan  
That the City Solicitor draft an ordinance banning the use of polystyrene containers for take-out food service.

**RESULT: ORDINANCE ORDAINED. [UNANIMOUS]**  
**MOVER:** Robert C. Trane, Ward Seven Alderman  
**SECONDER:** Thomas F. Taylor, Ward Three Alderman  
**AYES:** Desmond, Sullivan, White Jr., Bastardi, Heuston, Taylor, O'Keefe, Gewirtz, Trane  
**ABSENT:** John M Connolly, Tony Lafuente

**AMENDED:** Before Enrollment, the Ordinance was amended with the addition of a Preamble.

- D. #194343 Resolution By Ald. Bastardi  
That the School Superintendent report to this Board's Committee on Legislative Matters the School Dept.'s use of polystyrene containers, before the Committee next meets to discuss a possible ban on such containers on February 27.

**RESULT: WORK COMPLETED**

- E. #194390 Public Communication 59 residents submitting comments re: #194056, a proposed ban on polystyrene.

**RESULT: WORK COMPLETED**

- F. #194398 Public Communication 6 residents submitting comments re: #194056, a proposed ban on polystyrene.

**RESULT: WORK COMPLETED**

- G. #194438 Public Communication Dart Container Corp. submitting comments re: #194056, a proposed ban on polystyrene.

**RESULT: WORK COMPLETED**

- H. #194486 Erik Nottleson submitting comments re: #194056, a proposed ban on polystyrene.  
Public Communication

**RESULT: WORK COMPLETED**

- I. #194754 Kara Tutunjian submitting comments re: #194056, a proposed ban on polystyrene.  
Public Communication

**RESULT: WORK COMPLETED**

- J. #194755 21 residents submitting comments re: #194056, a proposed ban on polystyrene.  
Public Communication

**RESULT: WORK COMPLETED**

**COMMUNICATIONS OF THE MAYOR**

- 37. #194989 Requesting an authorization to borrow \$715,000 in a bond for renovation of Mayor's Request North Street Veteran's Playground.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Finance Committee

- 38. #194990 Requesting an appropriation of \$319,903 from the Assembly Square Mayor's Request Construction Fund to the Debt Service Fund for FY2013 Debt Service for Parks Renovation.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Finance Committee

- 39. #194991 Requesting the appropriation of \$25,000 from the Dilboy Enterprise Fund Mayor's Request Retained Earnings Account to the Dilboy Enterprise Fund Electricity Account to pay outstanding electric bills from DCR.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Finance Committee

- 40. #194992 Requesting the use of \$4,327 in available funds from the SomerStat Salaries Mayor's Request Account to hire a Community Preservation Act Intern.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Finance Committee

41. #194993 Mayor's Request Requesting acceptance of a donation of \$7,500 from Honeywell International, Inc. to support urban agriculture programs.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Finance Committee

42. #194994 Mayor's Request Requesting the acceptance of \$5,000 from the MA Office of Public Safety and Security for the Police Dept.'s pedestrian safety initiatives.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Finance Committee

**COMMUNICATIONS OF CITY OFFICERS**

43. #194995 Officer's Request City Clerk requesting approval to release two sets of Executive Session minutes as described within.

**RESULT: APPROVED**

**NEW BUSINESS**

44. #194996 License/Permit Public Event Permit, Redbones Bike to Work Benefit, Chester St to Herbert St, Jun 3, Noon-10PM (raindate Jun 10).

**RESULT: APPROVED**

45. #194997 License/Permit Public Event Permit, Josephine Ave. Block Party, between Morrison and Kidder Aves., Jun 8, 2-9PM.

**RESULT: APPROVED**

46. #194998 License/Permit Public Event Permit, Starlab Recording Company Festival, 32 Prospect St., Jun 15, Noon-9PM.

**RESULT: APPROVED**

47. #194999 License/Permit Public Event Permit, Arts Council ArtsUnion Events, Union Sq. Plaza, various dates Jun 23-Oct 5, various times.

**RESULT: APPROVED**

48. #195000 License/Permit Public Event Permit, Democratic Committee BBQ, Powderhouse Park, Jun 29 10AM-4PM (raindate Jun 30).

**RESULT: APPROVED**

49. #195001 License/Permit Public Event Permit, Krystal Campbell Memorial Scholarship Fundraiser, Grove St. Parking Lot, Jun 30, 2-8PM.

**RESULT: APPROVED**

50. #195002 License/Permit Public Event Permit, Missionary Church of the Haitian Community GospelFest, Trum Field, Jul 6, 8AM-9PM.

**RESULT: APPROVED**

51. #195003 License/Permit Public Event Permit, Redbones Homeless Coalition Block Party, Chester St to Herbert St, Jul 29, 5-10PM (raindate Aug 5).

**RESULT: APPROVED**

52. #195004 License/Permit Renewing Drainlayer's License, N. Sacca and Sons Inc.

**RESULT: APPROVED**

53. #195005 License/Permit Renewing Flammables License, Tufts University, 62 Talbot Ave.

**RESULT: APPROVED**

54. #195006 License/Permit Renewing Flammables License, Tufts University, 37R Latin Way.

**RESULT: APPROVED**

55. #195007 License/Permit Renewing Garage License, Alex Auto Body, 75 Washington St.

**RESULT: APPROVED**

56. #195008 License/Permit Renewing Garage License, Metro Auto Repair, 47 Webster Ave.

**RESULT: APPROVED**

57. #195009 License/Permit Renewing Garage License, Somerville Auto Center, 193 Somerville Ave.

**RESULT: APPROVED**

58. #195010 License/Permit Renewing 2012 Garage License, Somerville Auto Center, 193 Somerville Ave.

**RESULT: APPROVED**

59. #195011 License/Permit Renewing Extended Operating Hours License, Golden Light Restaurant, 24 College Ave.

**RESULT: APPROVED**

60. #195012 License/Permit Renewing and Amending Extended Operating Hours License, Chow N Joy, 626C Somerville Ave., Extending Sun-Thu to 2 AM, Fri-Sat to 3 AM.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Licenses and Permits Committee

61. #195013 License/Permit Renewing Taxi Medallion License, Gardy Inc., Med #19.

**RESULT: APPROVED**

62. #195014 License/Permit Renewing Taxi Medallion License, Elysse Corp, Med #48.

**RESULT: APPROVED**

63. #195015 License/Permit Renewing Taxi Medallion License, Stone Transportation, Med #28,30,31,32.

**RESULT: APPROVED**

64. #195016 License/Permit Renewing Taxi Medallion License, Love Cab, Med #92.

**RESULT: APPROVED**

65. #195017 License/Permit Renewing Taxi Medallion License, Elzira and Luc Inc, Med #6.

**RESULT: APPROVED**

66. #195018 License/Permit Renewing Taxi Medallion License, Odney Cab, Med #72.

**RESULT: APPROVED**

67. #195019 License/Permit Renewing Taxi Medallion License, Victory Cab, Med #56.

**RESULT: APPROVED**

68. #195020 License/Permit Renewing Taxi Medallion License, Roly Cab, Med #17.

**RESULT: APPROVED**

69. #195021 Public Communication Representative Provost submitting comments re: #194849, a proposal to amend the City Charter with respect to filling vacancies on this Board.

**RESULT: PLACED ON FILE**

**FOLLOWUP:** Legislative Matters Committee

70. #195022 Public Communication David and Renee Scott submitting comments re: #194483, a proposed Zoning Amendment on Medford St.

**RESULT: PLACED ON FILE**

**FOLLOWUP:** Land Use Committee

71. #195023 Public Communication Ray Warburton submitting comments re: #194483, a proposed Zoning Amendment for Prospect Hill.

**RESULT: PLACED ON FILE**

**FOLLOWUP:** Land Use Committee

**SUPPLEMENTAL ITEMS**

72. #195024 Mayor's Request Requesting, with the sponsorship of Ald. Desmond, Bastardi, Sullivan, O'Keefe and Trane, approval of an Ordinance regulating "pay-to-play" public contracting and campaign contributions for municipal elected office.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Legislative Matters Committee

73. #195025 Mayor's Request Requesting approval of an Ordinance amending the Local Historic District Map to create a new Somerville Main Post Office Historic District encompassing the property at 237 Washington Street.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Legislative Matters Committee

74. #195026 Mayor's Request Requesting approval to retain the law firm of Choate, Hall & Stewart LLP as outside counsel.

**RESULT: REFERRED FOR RECOMMENDATION**

**FOLLOWUP:** Finance Committee

75. #195027 Officer's Communication Director of SPCD updating this Board on recent developments regarding property acquisitions by the Redevelopment Authority in the Union Square Revitalization Area.

**RESULT: PLACED ON FILE**

**FOLLOWUP:** Finance Committee

76. #195028 Officer's Communication Director of Traffic and Parking responding to various Board Orders.

**RESULT: PLACED ON FILE**

**FOLLOWUP:** Senior Services Committee  
Traffic and Parking Committee  
Public Health and Public Safety Committee

77. #195029 License/Permit Renewing Drainlayer's License, Marchi Paving.

**RESULT: APPROVED**

78. #195030 License/Permit Renewing Garage License, A & E Auto Repair, 13 Joy St.

**RESULT: APPROVED**

79. #195031 License/Permit Renewing Taxi Medallion License, Bibi's Cab Inc, Med #20.

**RESULT: APPROVED**

**LATE ITEMS**

80. #195032 Order By Ald. Heuston, Taylor  
That the Commissioner of Public Works update the Ward 2 and 3 Aldermen on street cleaning and trash barrel maintenance for Union Square, and whether more barrels would improve conditions.

**RESULT: APPROVED**

**FOLLOWUP:** Public Utilities and Public Works Committee

81. #195033 Order By Ald. Desmond, O'Keefe  
That the Chief of Police order a directed patrol of Fiske Avenue to prevent groups from gathering on the stairs and/or ramp leading up to the Magoun Square parking lot.

**RESULT: APPROVED**

82. #195034 Order By Ald. Heuston  
That the Chief of Police provide residents with recommended actions to be taken to deter trespassers from rummaging through trash barrels on private property.

**RESULT: APPROVED**

**FOLLOWUP:** Public Health and Public Safety Committee

83. #195035 Order By Ald. Heuston  
That the City Solicitor provide an opinion regarding 780CMR MA Amendments to the International Building Code 2009 Section 1001.3.2 regarding qualifications for examiners of fire escapes.

**RESULT: APPROVED**

**FOLLOWUP:** Legislative Matters Committee

84. #195036 Officer's Communication Commissioner of Public Works responding to various Board Orders submitted this evening.

**RESULT: PLACED ON FILE**



**FOLLOWUP:** Public Utilities and Public Works Committee

**ADJOURNMENT**

Adjournment

Submitted by John J. Long, City Clerk