

City of Somerville, Massachusetts
Matters of Business of the City Council

REGULAR MEETING AGENDA

October 10, 2019, 7:00 PM
City Council Chamber, City Hall-93 Highland Avenue

OPENING OF THE MEETING

1. Roll Call Call of the Roll.
 (ID # 21821)

2. Minutes Approval of the Minutes of the Regular Meeting,
 (ID # 21822) September 12, 2019.

CITATIONS

3. Citation By City Councilor Ballantyne and the Mayor
 (ID # 21825) Commending each of the 55 Crossing Guards who
 protect our children on school days, as they cross busy
 streets made busier this year by the bridge closures and
 construction activities.

PUBLIC HEARINGS

4. Grant of Submitted by Eversource to install 408 feet of conduit in
 Location Broadway from Manhole 2635 to a point of pickup at
 (ID # 21826) 725 Broadway.

5. Grant of Submitted by Eversource to install 121 feet of conduit in
 Location Broadway from Manhole 3636 to a point of pickup at
 (ID # 21827) 1070 Broadway.

6. Grant of Submitted by Eversource to install 102 feet of conduit in
 Location Broadway from Pole 144/6 to a point of pickup at 41
 (ID # 21828) Myrtle St.

7. Grant of Submitted by Eversource to install 100 feet of conduit in
 Location Broadway from Manhole 1905 to an Extenet wireless
 (ID # 21829) facility near 328 Broadway.

8. Grant of Submitted by Eversource to install 93 feet of conduit in
 Location Somerville Ave from Manhole 20650 to a new Extenet
 (ID # 21830) handhole near 411 Somerville Ave.

9. Grant of Submitted by Eversource to install 71 feet of conduit in
 Location Vinal Ave from Pole 248/1 to a point of pickup at 3
 (ID # 21831) Summer St.

10. Grant of Location (ID # 21832) Submitted by Eversource to install 57 feet of conduit in Cedar St from Pole 238/1 to a point of pickup at 171 Cedar St.
11. Grant of Location (ID # 21833) Submitted by Eversource to install 44 feet of conduit in Elmwood St from Pole 113/3 to a point of pickup at 17 Elmwood St.
12. Grant of Location (ID # 21834) Submitted by Eversource to install 9 feet of conduit in College Ave from Pole 156/5 to a point of pickup at 40 College Ave.
13. Grant of Location (ID # 21835) Submitted by Eversource to install 7 feet of conduit in Willow Ave from Pole 198/22 to a point of pickup at 201 Willow Ave.
14. Grant of Location (ID # 21836) Submitted by ExteNet Systems to replace a City-owned streetlight at 479 Canal St with a similar streetlight that includes a wireless small cell antenna and related equipment.
15. Grant of Location (ID # 21837) Submitted by ExteNet Systems to replace a City-owned streetlight at 411 Somerville Ave with a similar streetlight that includes a wireless small cell antenna and related equipment.
16. Grant of Location (ID # 21838) Submitted by ExteNet Systems to replace a City-owned streetlight at 497 Broadway with a similar streetlight that includes a wireless small cell antenna and related equipment.
17. Grant of Location (ID # 21839) Submitted by ExteNet Systems to replace a City-owned streetlight at 75 Mystic Ave with a similar streetlight that includes a wireless small cell antenna and related equipment.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

18. Order (ID # 21803) By City Councilor Davis
That the City Solicitor take all actions available to enforce any applicable law or regulation requiring utilities to remove wires that are no longer in use (including MGL c166 ss 30 & 33).

19. Resolution (ID # 21804) By City Councilor Ewen-Campen
That the Director of Sustainability and Environment and others in the Administration work with this Council to convene a task force to provide recommendations to eliminate the use of natural gas and other fossil fuels in new buildings.
20. Resolution (ID # 21811) By City Councilor Ewen-Campen, Hirsch
That the Administration update this Council on plans to preserve onsite affordable senior housing and care for the current and future residents of the Little Sisters of the Poor facility.
21. Order (ID # 21812) By City Councilor Ewen-Campen
That the Commissioner of Public Works commence regular sidewalk cleaning outside the Nunziato Dog Park, and provide the Ward 3 City Councilor with a written policy for scheduled sidewalk cleaning.
22. Order (ID # 21805) By City Councilor White Jr.
That the Chief Assessor utilize a valuation method for commercial real estate that takes into account the financial impact of the bridge closings on businesses located in such properties.
23. Order (ID # 21806) By City Councilor White Jr.
That the Chief of Police report to this Council on any enforcement actions undertaken under Ordinance 9-97, especially with regard to disturbances of the peace in the vicinity of Tufts College.
24. Order (ID # 21788) By City Councilor Ballantyne, Rossetti, Hirsch
That the Commissioner of Public Works install traffic dampening tools at the intersection of Broadway and Simpson Avenue to slow the traffic speeding on Broadway.
25. Order (ID # 21807) By City Councilor Niedergang
That the Director of SPCD report on the bus and bike lanes on Broadway on Winter Hill, including an assessment of their effectiveness, a response to the many complaints that have been received, and a description of any changes that are planned or being investigated.
26. Order (ID # 21808) By City Councilor Niedergang
That the Chief of Police redeploy as soon as possible at least 6 Police Officers full-time into the Traffic Division, to conduct traffic enforcement to regain control over our increasingly chaotic streets in the interest of public and especially pedestrian safety.

27. Resolution (ID # 21809) By City Councilor Niedergang
That the Administration provide an update on implementation of the Tree Preservation Ordinance, with any recommendations for amendments to make it as effective and enforceable as possible.
28. Order (ID # 21810) By City Councilor Niedergang
Proposing amendments to Tree Preservation Ordinances 12-103, 12-104 and 12-105.3, to allow the Tree Warden and Senior Urban Forestry and Landscape Planner to designate another member of their departments to perform their duties and attend, count towards the quorum for, and participate and vote in the meetings of the Urban Forestry Committee.
29. Order (ID # 21813) By City Councilor Hirsch, Rossetti
That the Chief of Police and the Chief Fire Engineer provide an update on upcoming and past meetings with Spectra Energy (now Enbridge) related to the Algonquin Gas Transmission line and the J-2 loop and any communications regarding risks and safety procedures related to those pipelines.
30. Order (ID # 21815) By City Councilor Hirsch
That the Director of SPCD or the Chief of Police discuss whether or not "residents only" and "abutters only" driving restrictions are enforceable, and whether this information can currently be reflected in mapping applications like Google and WAZE.
31. Communication (ID # 21814) By City Councilor Hirsch
Providing updates on metric development for the 2040 SomerVision Housing Working Group.
32. Resolution (ID # 21820) By City Councilor Clingan
That the Administration perform an ADA accessibility audit of the entire city of Somerville (including state property) and based on that audit, devise a plan complete with timeline for implementation.
33. Order (ID # 21816) By City Councilor Clingan
That the Chief of Police forgive all traffic violations to date for drivers fined for using the new 'bus only' lane on Broadway until residents are educated on the changes.
34. Order (ID # 21817) By City Councilor Clingan
That the Director of SPCD create an education campaign for the new 'bus only' lane on Broadway.

- 35. Resolution (ID # 21818) By City Councilor Clingan
That the Administration provide an update addressing the Winter Hill in Motion project, including links to the educational materials created.

- 36. Order (ID # 21819) By City Councilor Clingan
That the Director of SPCD assess the implementation of the Winter Hill in Motion project and how the city can better roll out such a new experimental set of changes.

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

37. CONFIRMATION OF APPOINTMENTS AND PERSONNEL MATTERS COMMITTEE

- A. Committee Report (ID # 21792) Report of the Committee on Confirmation of Appointments and Personnel Matters, meeting on October 7, 2019.

- B. Mayor's Request 208172 Requesting confirmation of the appointment of Sarah Sweeting to the Urban Forestry Committee.
RECOMMENDED: Approved

- C. Mayor's Request 208427 Requesting confirmation of the appointment of Deborah Lormeus to the Commission for Women.
RECOMMENDED: Approved

- D. Mayor's Request 208428 Requesting confirmation of the appointment of Crystal Turner to the Commission for Women.
RECOMMENDED: Approved

- E. Mayor's Request 208538 Requesting confirmation of the appointment of Michael Henson to the Human Rights Commission.
RECOMMENDED: Approved

- F. Mayor's Request 208539 Requesting confirmation of the appointment of Fabia Oliveira to the Commission for Women.
RECOMMENDED: Approved

- G. Mayor's Request 208584 Requesting confirmation of the appointment of Louis Ferrara to the Housing Authority.
RECOMMENDED: Approved

- H. Mayor's Request 208716 Requesting confirmation of the appointment of Larry Yu to the Commission on Energy Use and Climate Change.
RECOMMENDED: Approved

- I. Mayor's Request 208717 Requesting confirmation of the appointment of Elizabeth Galloway to the Commission on Energy Use and Climate Change.
RECOMMENDED: Approved

38. EQUITY, GENDER, FAMILIES AND VULNERABLE POPULATIONS SPECIAL COMMITTEE

1. Committee Report (ID # 21793) Report of the Special Committee on Equity, Gender, Families and Vulnerable Populations, meeting on October 7, 2019.

2. Order 208682 By City Councilor Hirsch, Davis, Ballantyne, Ewen-Campen
That the Director of Parks and Recreation work with the Administration and the School Department to assess opportunities and barriers non-binary youth and adults have when wanting to participate in athletics and access public facilities, such as Dilboy Pool.
RECOMMENDED: Work Completed

3. Officer's Communication 208960 Director of Parks and Recreation responding to #208682 re: opportunities and barriers for non-binary youth and adults to participate in athletics and access public facilities.
RECOMMENDED: Work Completed

39. LAND USE COMMITTEE

- A. Committee Report (ID # 21789) Report of the Committee on Land Use, meeting as a Committee of the Whole on October 1, 2019.

40. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report (ID # 21791) Report of the Committee on Legislative Matters, meeting on October 3, 2019.

- B. Ordinance 207364 By City Councilor Ewen-Campen, Niedergang, Mbah, Davis, Ballantyne, McLaughlin, Scott, Clingan, White Jr., Rossetti, Hirsch
Draft ordinance that would increase public oversight of surveillance technology, in order to balance public safety with the individual right to privacy.
RECOMMENDED: Placed on File

- C. Mayor's Request 208703 Requesting approval of a Home Rule Petition to authorize the City to appoint Police Cadets under certain circumstances.
RECOMMENDED: Approved

- D. Ordinance 208815 By City Councilor Ewen-Campen, Davis, Scott, Mbah, Clingan, Niedergang, Rossetti, McLaughlin, Hirsch, White Jr., Ballantyne
Proposing a revised amendment to the Municipal Ordinances to provide public oversight over the procurement and usage of surveillance technology, including a summary of the major revisions.
RECOMMENDED: Approved as Amended

41. OPEN SPACE, ENVIRONMENT AND ENERGY COMMITTEE

- A. Committee Report (ID # 21790) Report of the Committee on Open Space, Environment and Energy, meeting on October 2, 2019.

- B. Order 202021 By City Councilor Niedergang That the Commissioner of Public Works and the Director of SPCD report to this Board on the feasibility of demolishing the bus shelter at Broadway and Cedar Street and replacing it with a garden, small park or sitting area. (2nd request)
RECOMMENDED: Work Completed

- C. Order 202995 By City Councilor Niedergang, Davis That the Director of SPCD redesign the asphalt front playground at the Kennedy School and work with all stakeholders to make it usable by more people for a broader range of activities.
RECOMMENDED: Work Completed

- D. Resolution 203387 By City Councilor Niedergang, McLaughlin That the Mayor update this Board on discussions with DCR about the fields at Draw 7 Park and Foss Park.
RECOMMENDED: Work Completed

- E. Resolution 204588 By City Councilor Davis That the Administration prioritize restorative and preventative maintenance in Seven Hills Park, including the statues and pillars, the brick Community Path, and the soil and grass.
RECOMMENDED: Work Completed

- F. Order 205369 By City Councilor Ballantyne, Ewen-Campen That the Director of SPCD share with this Board the exact open space inventory, and clarify why there is a discrepancy between SomerVision's Open Space Plan and the State inventory of the city's open space.
RECOMMENDED: Work Completed

- G. Order 205370 By City Councilor Ballantyne, Ewen-Campen That the Director of SPCD specify what projects increased the 17 acres of open space in the SomerVision Progress Report.
RECOMMENDED: Work Completed

- H. Resolution 205706 By City Councilor Scott, Hirsch, Ballantyne That the Administration report in writing on the net change in green and open space based on all projects planned for 2018.
RECOMMENDED: Work Completed

- I. Resolution 206231 By City Councilor Niedergang, Ballantyne That the Administration develop an open space acquisition plan to achieve the city's SomerVision goal of adding 125 acres of open space.
RECOMMENDED: Work Completed

- J. Order 206393 By City Councilor Niedergang
That, in the interest of tree preservation, the City Solicitor draft a revision of the Tree Ordinance to include restrictions and regulations on cutting trees of at least six inches in diameter on private property, and explain how the proposed revision differs from the ones that Cambridge, Lexington and Newton that have already passed to protect trees on private property.
RECOMMENDED: Work Completed
- K. Resolution 206770 By City Councilor Mbah
That the Administration create a Task Force to develop a master plan for green and open spaces.
RECOMMENDED: Work Completed
- L. Resolution 206786 By City Councilor Hirsch
That the Administration update this Board on transferring the management of Foss Park to the City, to improve conditions and access.
RECOMMENDED: Work Completed
- M. Order 206824 By City Councilor Ballantyne, Clingan
That the Director of SPCD and the Director of Parks and Recreation share a 5-year master design plan and financial investment plan for any DCR parks like Draw 7, Foss, Dilboy, Blessing of the Bay, etc.
RECOMMENDED: Work Completed
- N. Resolution 207030 By City Councilor Hirsch
That the Administration provide updates on the timelines for the design and construction phases for CPA-funded open space projects that have been approved since the program started.
RECOMMENDED: Work Completed
- O. Order 207063 By City Councilor Niedergang, Ballantyne, Mbah
That the Director of SPCD update this Board on changes to and progress on the Fields Master Plan, including facilities controlled by DCR.
RECOMMENDED: Work Completed
- P. Order 207156 By City Councilor Hirsch, Mbah
That the Director of SPCD provide an updated list of all open space projects in the queue, with anticipated cost, funding, and timeline to completion.
RECOMMENDED: Work Completed
- Q. Resolution 207726 By City Councilor Hirsch
That the Administration select a pilot location to solicit interest from residents to acquire a walking path right of way, such as across Parkdale and Perry Streets for access to Lincoln Park, or across Albion and Hudson Streets for access to Albion Park.
RECOMMENDED: Work Completed

- R. Resolution 207905 By City Councilor Davis, Hirsch, Mbah, Clingan
That the Administration work with the High School Building Committee to explore any options to sever construction (or take similar actions) of the playing field as part of the High School project, with the intention to incorporate it into a future capital project to include a parking garage beneath the playing surface.
RECOMMENDED: Work Completed

- S. Resolution 207914 By City Councilor Ballantyne
That Administration investigate hiring a landscaper to maintain the investments in our city parks' planted areas, softscape, flowerbeds etc.
RECOMMENDED: Work Completed

- T. Order 208148 By City Councilor Niedergang
That the Director of SPCD report to this Council the status of and staffing for the City's community gardens program, and the plan and steps being taken to develop new community gardens for the hundreds of residents on the waiting lists.
RECOMMENDED: Work Completed

COMMUNICATIONS OF THE MAYOR

- 42. Mayor's Request (ID # 21486) Requesting the adoption of MGL Chapter 200A, Section 9A, regarding the disposition of abandoned funds.

- 43. Mayor's Request (ID # 21799) Requesting an appropriation and authorization to borrow \$6,500,000 in a bond for annual water system improvements.

- 44. Mayor's Request (ID # 21798) Requesting an appropriation and authorization to borrow \$3,730,000 in a bond for streets and sidewalk reconstruction.

- 45. Mayor's Request (ID # 21802) Requesting an appropriation and authorization to borrow \$3,380,000 in a bond for the Flint Street Sewer Replacement Project.

- 46. Mayor's Request (ID # 21801) Requesting an appropriation and authorization to borrow \$2,740,000 in a bond for sewer replacement from Willow Avenue to Grove Street.

- 47. Mayor's Request (ID # 21800) Requesting an appropriation and authorization to borrow \$1,660,000 in a bond for a Sewer System Evaluation Study and Infiltration/Inflow Assessment.

- 48. Mayor's Request (ID # 21823) Requesting an appropriation and authorization to borrow \$160,000 in a bond for design and improvements at Dilboy Stadium and auxiliary fields.

- 49. Mayor's Request (ID # 21795) Requesting approval to pay prior year invoices from Home Depot totaling \$4,732.72 using available funds in the Department of Public Works Fleet Division and Highway Division Accounts for under-funded Home Depot purchases in June.
- 50. Mayor's Request (ID # 21757) Requesting acceptance of a \$236,976.00 grant with no new match required, from the State 911 Office to the Police Department to fund E911 personnel costs.
- 51. Mayor's Request (ID # 21758) Requesting acceptance of a \$80,749.62 grant with no new match required, from the State E911 Office to the Police Department for 911 training and emergency medical dispatch services.
- 52. Mayor's Request (ID # 21733) Requesting acceptance of a \$77,047.27 grant that requires a match, from the Department of Homeland Security to the Fire Department for active shooter/hostile event training.
- 53. Mayor's Request (ID # 21759) Requesting acceptance of a \$24,500 grant with no new match required, from the State 911 Office to the Police Department to fund E911 emergency medical dispatch services.

COMMUNICATIONS OF CITY OFFICERS

- 54. Officer's Communication (ID # 21796) Historic Preservation Planner responding to #204278 with a presentation regarding the draft Demolition Review Ordinance.
- 55. Officer's Communication (ID # 21797) Director of Health and Human Services responding to #208956 with information on the implications for Somerville of the statewide vaping ban.

NEW BUSINESS

- 56. License/Permit (ID # 21840) Public Event License, Russell Rd Block Party, Russell Rd from Ware St to the dead end, and Hamilton Rd from Russell Rd to Barton St, Oct 19, 3-9PM.
- 57. License/Permit (ID # 21841) Public Event License, Somerville Haunted Hall, City Hall Concourse, Oct 24, 4-7:45PM.
- 58. License/Permit (ID # 21842) Public Event License, Taza Chocolate Day of the Dead Block Party, Windsor Pl from Windsor St to Columbia St, Oct 26, 10AM-6PM (raindate Oct 27).

- 59. License/Permit (ID # 21843) Public Event License, Franklin Ave Halloween Block Party, Oct 26, 1-8PM (raindate Oct 27).
- 60. License/Permit (ID # 21844) Public Event License, Lexington Ave Halloween Block Party, Oct 31, 5-9PM.
- 61. License/Permit (ID # 21845) Public Event License, Prospect Hill Halloween Block Party, Munroe St from Bigelow St to Prospect Hill Ave, Oct 31, 5-9:30PM (raindate Nov 2).
- 62. License/Permit (ID # 21846) Public Event License, Prospect Hill Halloween Block Party, Prospect Hill Ave from Munroe St to Boston St, Oct 31, 5-10:30PM.
- 63. License/Permit (ID # 21847) Public Event License, Teen Empowerment Yoga and Campfire, Growing Center, Nov 19, 3-6:30PM (raindate Nov 26).
- 64. License/Permit (ID # 21848) New Drainlayer's License, Atlantic Excavation and Utility.
- 65. License/Permit (ID # 21849) New Drainlayer's License, Legacy Building and Development.
- 66. License/Permit (ID # 21850) Renewing Lodging House License, Zeta Psi Fraternity, 80 Professors Ave.
- 67. License/Permit (ID # 21851) Sign/Awning License, JP Morgan Chase Bank, 8 Broadway, one awning and sign.
- 68. Public Communication (ID # 21852) Washington TN LLC proposing a zoning amendment to re-zone their property at 373 Washington St to UR.

SUPPLEMENTAL ITEMS

- 69. Mayor's Request (ID # 21854) Requesting confirmation of the appointment of Charles Houghton to the position of Student Police Officer.
- 70. Mayor's Request (ID # 21855) Requesting confirmation of the appointment of Charles O'Leary to the position of Student Police Officer.
- 71. Mayor's Request (ID # 21856) Requesting confirmation of the appointment of Sergio Garcia to the position of Student Police Officer.
- 72. Mayor's Request (ID # 21857) Requesting confirmation of the appointment of Ryan Sullivan to the position of Student Police Officer.

- 73. Mayor's Request (ID # 21858) Requesting confirmation of the appointment of Daniel Del'Isola to the position of Student Police Officer.
- 74. Mayor's Request (ID # 21860) Requesting confirmation of the appointment of Robert Taylor to the position of Student Police Officer.
- 75. Mayor's Request (ID # 21863) Requesting approval of an Ordinance to provide tenants the right to purchase the residential property in which they reside when that property is being offered for sale.
- 76. Mayor's Request (ID # 21862) Requesting the appropriation of \$624,578 from the Salary and Wage Stabilization Fund to the Fire Department Other Lump Sum Benefits Account, to fund the FY19 compensation portion of the Collective Bargaining Agreement with the Firefighters Association of Somerville Local 76.
- 77. Mayor's Communication (ID # 21861) Conveying an Administrative Order issued by the US Environmental Protection Agency with respect to the City's combined sewer and drainage system.
- 78. Officer's Communication (ID # 21864) Director of Intergovernmental Affairs submitting an updated Surveillance Technology Ordinance inclusive of amendments from the Legislative Matters Committee meeting on 10/3/19.
- 79. Public Communication (ID # 21865) Rachel Turek submitting comments re: #204323, a proposal for Powderhouse Blvd. safe bicycling.

LATE ITEMS

ADJOURNMENT