

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

REGULAR MEETING MINUTES

October 25, 2012, 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	Present	
Dennis M. Sullivan	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	
William M. Roche	Ward One Alderman	Absent	
Maryann M. Heuston	Ward Two Alderman	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
Tony Lafuente	Ward Four Alderman	Present	
Sean T. O'Donovan	Ward Five Alderman	Present	
Rebekah Gewirtz	Ward Six Alderman	Present	
Robert C. Trane	Ward Seven Alderman	Present	

1. #193868 Call of the Roll.
Roll Call

RESULT: PLACED ON FILE

2. #193869 Approval of the Minutes of the Regular Meeting, September 27, 2012.
Minutes

RESULT: APPROVED

CITATIONS

3. #193870 Citation
By Ald. Roche, Connolly, Desmond, Sullivan, White Jr., and the Entire Board and the Mayor
Commending Mary Caruso on the happy occasion of her 80th birthday.

RESULT: APPROVED

PUBLIC HEARINGS

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

4. #193871 By Ald. Gewirtz
Order That the Commissioner of Public Works resolve the drainage problems at the foot of Newberne Street, south of Morrison Avenue.

RESULT: APPROVED

FOLLOWUP: Public Utilities and Public Works Committee

5. #193872 By Ald. Gewirtz, O'Donovan
Order That the Commissioner of Public Works consider placing a porta-potty at Albion Park.

RESULT: APPROVED

6. #193873 By Ald. Gewirtz
Order That the Commissioner of Public Works install additional street lighting on Dover Street.

RESULT: APPROVED

7. #193874 By Ald. Heuston
Order That the Chief of Police order a directed patrol to monitor traffic at Kent and Beacon Streets for failing to stop when the signal is red and for not slowing down when the signal is blinking yellow.

RESULT: APPROVED

8. #193875 By Ald. Heuston
Order That the Director of SPCD (ISD) advise the owner of 515 Somerville Avenue that the property perimeter should be regularly swept and kept clear of overgrowth and that an improved fence should be installed.

RESULT: APPROVED

9. #193876 By Ald. Taylor
Communication In his capacity as a member of the School Committee, conveying a report of the School Committee's activities.

RESULT: PLACED ON FILE

No report was presented.

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

10. CONFIRMATION OF APPOINTMENTS COMMITTEE

- A. #193877 Report of the Committee on Confirmation of Appointments, meeting on Committee Report October 24, 2012.

RESULT: APPROVED

- B. #193359 Requesting the appointment of Kenneth Edwards as Constable.
Mayor's Request

RESULT: APPROVED

- C. #193634 Requesting the appointment of Melissa McWhinney to the Affordable
Mayor's Request Housing Trust.

RESULT: APPROVED

- D. #193702 Requesting the reappointment of Michael Fager to the Conservation
Mayor's Request Commission.

RESULT: APPROVED

- E. #193703 Requesting the reappointment of Owen Wartella to the Conservation
Mayor's Request Commission.

RESULT: APPROVED

- F. #193704 Requesting the reappointment of David Turin to the Conservation
Mayor's Request Commission.

RESULT: APPROVED

- G. #193705 Requesting the reappointment of Mathias Neuber to the Conservation
Mayor's Request Commission.

RESULT: APPROVED

- H. #193706 Requesting the reappointment of John Hultgren to the Conservation
Mayor's Request Commission.

RESULT: APPROVED

- I. #193707 Requesting the reappointment of John Reinhardt to the Conservation
Mayor's Request Commission.

RESULT: APPROVED

- J. #193708 Requesting the reappointment of Kenneth Carlson to the Bicycle Advisory
Mayor's Request Committee.

RESULT: APPROVED

- K. #193709 Requesting the reappointment of Alan Moore to the Bicycle Advisory
Mayor's Request Committee.

RESULT: APPROVED

- L. #193710 Requesting the reappointment of Enid Kumin to the Bicycle Advisory
Mayor's Request Committee.

RESULT: APPROVED

- M. #193711 Requesting the reappointment of Ron Newman to the Bicycle Advisory
Mayor's Request Committee.

RESULT: APPROVED

- N. #193712 Mayor's Request Requesting the reappointment of Brian Postlewaite to the Bicycle Advisory Committee.

RESULT: APPROVED

- O. #193713 Mayor's Request Requesting the reappointment of Charlie Denison to the Bicycle Advisory Committee.

RESULT: APPROVED

- P. #193714 Mayor's Request Requesting the reappointment of Timothy Talun to the Bicycle Advisory Committee.

RESULT: APPROVED

- Q. #193715 Mayor's Request Requesting the reappointment of Alex Epstein to the Bicycle Advisory Committee.

RESULT: APPROVED

- R. #193716 Mayor's Request Requesting the reappointment of Dr. Brian Jeffrey Green to the Board of Health.

RESULT: APPROVED

- S. #193717 Mayor's Request Requesting the reappointment of Babette Mello to the Board of Health.

RESULT: APPROVED

- T. #193718 Mayor's Request Requesting the reappointment of Joey Buizon to the Commission for Persons with Disabilities.

RESULT: APPROVED

- U. #193719 Mayor's Request Requesting the reappointment of Peter McPhee to the Commission on Energy Use and Climate Change.

RESULT: APPROVED

- V. #193720 Requesting the reappointment of William Medeiros to the Condominium
Mayor's Request Review Board.

RESULT: APPROVED

- W. #193721 Requesting the reappointment of Elizabeth Medeiros to the Condominium
Mayor's Request Review Board.

RESULT: APPROVED

- X. #193722 Requesting the reappointment of Marlene Smithers to the Condominium
Mayor's Request Review Board.

RESULT: APPROVED

- Y. #193723 Requesting the reappointment of Suzanne Rinfret to the Council on Aging.
Mayor's Request

RESULT: APPROVED

- Z. #193724 Requesting the reappointment of Louis Favreau to the Council on Aging.
Mayor's Request

RESULT: APPROVED

- AA. #193725 Requesting the reappointment of Barbara Hutchinson to the Council on
Mayor's Request Aging.

RESULT: APPROVED

- AB. #193726 Requesting the reappointment of Cheryl Horan to the Council on Aging.
Mayor's Request

RESULT: APPROVED

AC. #193727 Requesting the reappointment of Connie Ramsdell to the Council on Aging.
Mayor's Request

RESULT: APPROVED

AD. #193728 Requesting the reappointment of Roseanne Bent to the Council on Aging.
Mayor's Request

RESULT: APPROVED

AE. #193729 Requesting the reappointment of Anthony Alibrandi to the Election
Mayor's Request Commission.

RESULT: APPROVED

AF. #193730 Requesting the reappointment of Kaley Klanica to the Ethics Commission.
Mayor's Request

RESULT: APPROVED

AG. #193731 Requesting the reappointment of Brian McHugh to the Ethics Commission.
Mayor's Request

RESULT: APPROVED

AH. #193732 Requesting the reappointment of John Heymann to the Ethics Commission.
Mayor's Request

RESULT: APPROVED

AI. #193733 Requesting the reappointment of Dennis Fischman to the Fair Housing
Mayor's Request Commission.

RESULT: APPROVED

AJ. #193735 Requesting the reappointment of John Robinson to the Human Rights
Mayor's Request Commission.

RESULT: APPROVED

AK. #193736 Requesting the reappointment of June Pietrantoni to the Library Board of
Mayor's Request Trustees.

RESULT: APPROVED

AL. #193737 Requesting the reappointment of Mark Howland to The Library Board of
Mayor's Request Trustees.

RESULT: APPROVED

AM. #193738 Requesting the reappointment of Katherine Van Sleet to the Library Board
Mayor's Request of Trustees.

RESULT: APPROVED

AN. #193739 Requesting the reappointment of Peter Tsourianis to the Multicultural
Mayor's Request Affairs Commission.

RESULT: APPROVED

AO. #193740 Requesting the reappointment of John Carreiro to the Multicultural Affairs
Mayor's Request Commission.

RESULT: APPROVED

AP. #193741 Requesting the reappointment of Netra Darai to the Multicultural Affairs
Mayor's Request Commission.

RESULT: APPROVED

AQ. #193742 Requesting the reappointment of Jerry Carvalho to the Traffic Board.
Mayor's Request

RESULT: APPROVED

AR. #193743 Requesting the reappointment of Chien-Chi Huang to the Women's
Mayor's Request Commission.

RESULT: APPROVED

AS. #193744 Requesting the reappointment of Kate Wallace to the Women's Commission.
Mayor's Request

RESULT: APPROVED

AT. #193745 Requesting the reappointment of Nancy Bacci to the Women's Commission.
Mayor's Request

RESULT: APPROVED

AU. #193746 Requesting the reappointment of Alicia Byrd to the Women's Commission.
Mayor's Request

RESULT: APPROVED

AV. #193747 Requesting the reappointment of Michelle Albert to the Women's
Mayor's Request Commission.

RESULT: APPROVED

11. LAND USE COMMITTEE

A. #193878 Report of the Committee on Land Use, meeting in Joint Session with the
Committee Report Planning Board, on October 18, 2012.

RESULT: APPROVED

B. #193602 Conveying a response to #190766 and #192594 re: SPCD staff study of
Mayor's Communication regulations for RA and RB Zoning Districts.

RESULT: PLACED ON FILE

12. LEGISLATIVE MATTERS COMMITTEE

- A. #193879 Report of the Committee on Legislative Matters, meeting on October 16, Committee Report 2012.

RESULT: APPROVED

- B. #193078 Order
By Ald. White Jr.
That the City Solicitor advise this Board whether the City should accept MGL c40U for the imposition of liens on property for unpaid municipal charges, or rely on the special act of 1996 already in place.

RESULT: WORK COMPLETED

- C. #193880 Order
By Ald. White Jr.
That the City Solicitor determine if additional notice requirements should be implemented for licenses and/or permits issued by the Licensing Commission.

RESULT: APPROVED

13. LEGISLATIVE MATTERS COMMITTEE

- A. #193881 Report of the Committee on Legislative Matters, meeting as a Committee of Committee Report the Whole, on October 16, 2012.

RESULT: APPROVED

Ald. O'Donovan recused.

- B. #193632 Mayor's Request
Requesting the amendment of Ordinances 2-322 and 2-323 pursuant to the Municipal Compensation Advisory Board recommendations.

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]
AYES: Connolly, Desmond, Sullivan, White Jr., Heuston, Taylor, Lafuente, Gewirtz, Trane
ABSENT: William M. Roche, Sean T. O'Donovan

AMENDED: Ordinance 2-323 is Amended by Deleting the "Category: Elected City Officials" Table.
The "Category: Elected City Officials" Table is referred to the Legislative Matters Committee for further consideration.

- C. #193882 Mayor's Request Requesting the amendment of Ordinance 2-323 pursuant to the Municipal Compensation Advisory Board recommendations, with respect to Elected City Officials only.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Legislative Matters Committee

14. LEGISLATIVE MATTERS COMMITTEE

- A. #193883 Report of the Committee on Legislative Matters, meeting as a Committee of Committee Report the Whole, on October 23, 2012.

RESULT: APPROVED

15. LICENSES AND PERMITS COMMITTEE

- A. #193884 Report of the Committee on Licenses and Permits, meeting on October 17, Committee Report 2012.

RESULT: APPROVED AS AMENDED

AMENDED: #193853 is Approved for 20 automobiles outside only.

- B. #193625 License/Permit Amending Garage License, Goodyear Auto Service Center, 1 Bow St., seeking to open Sundays 9AM-4PM.

RESULT: APPROVED AS AMENDED

AMENDED: Sunday hours are Approved for Noon to 4 PM only.

- C. #193852 License/Permit New Garage License, American Auto Gallery, 682 Mystic Ave., 2 vehicles inside, repairing, washing and storing vehicles, Mon-Thu 9AM-7PM, Fri-Sat 9AM-6PM.

RESULT: APPROVED AS AMENDED

AMENDED: Approved for 30 days only; hours of operation 10 AM-5PM Monday-Friday, Closed Saturday-Sunday.

- D. #193853 License/Permit New Used Car Dealer Class 2 License, American Auto Gallery, 682 Mystic Ave., 23 vehicles outside, Mon-Thu 9AM-7PM, Fri-Sat 9AM-6PM, Sun Noon-5PM.

RESULT: APPROVED AS AMENDED

AMENDED: Approved for 30 days only; for 20 vehicles outside only.

16. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. #193885 Report of the Committee on Public Health and Public Safety, meeting on Committee Report October 22, 2012.

RESULT: APPROVED

- B. #193886 Order By Ald. White Jr. That the Commissioner of Public Works appear before the Committee on Public Health and Safety to speak on baiting requirements for street openings.

RESULT: APPROVED

FOLLOWUP: Public Health and Public Safety Committee

17. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

- A. #193887 Report of the Committee on Public Utilities and Public Works, meeting on Committee Report October 24, 2012.

RESULT: APPROVED

18. FLOOD FORUM SPECIAL COMMITTEE

- A. #193888 Report of the Flood Forum Special Committee, meeting on October 22, Committee Report 2012.

RESULT: APPROVED

COMMUNICATIONS OF THE MAYOR

19. #193889 Requesting authorization to borrow \$530,949 in a bond, and appropriate the Mayor's Request same amount, for the reconstruction of public streets.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

20. #193890 Requesting an appropriation of \$150,000 from the Capital Stabilization Mayor's Request Fund for the reconstruction of private ways.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

21. #193891 Requesting a transfer of \$764,306 from the Salary Contingency Salaries Mayor's Request Account to the attached Departmental Salary Accounts to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED AS AMENDED

AMENDED: The transfer for Executive Office Salaries is reduced by \$20,000, for a new total of \$744,306.
Ald. O'Donovan recused.

22. #193892 Requesting the use of \$70,438 in Available Funds in the Cable Mayor's Request Telecommunications Revolving Account to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED

Ald. O'Donovan recused.

23. #193893 Mayor's Request Requesting a transfer of \$27,093 from the Capital Projects Salaries Account to the Arts Council Salaries Account to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED

Ald. O'Donovan recused.

24. #193894 Mayor's Request Requesting the use of \$26,760 in Available Funds in the Water Enterprise Salary Contingency Account to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED

Ald. O'Donovan recused.

25. #193895 Mayor's Request Requesting a transfer of \$12,705 from the DPW's Highway Salaries Account to its Administration Salaries Account to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED

Ald. O'Donovan recused.

26. #193896 Mayor's Request Requesting a transfer of \$11,972 from the SPCD Economic Development Salaries Account to the SPCD Planning and Zoning Salaries Account to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED

Ald. O'Donovan recused.

27. #193897 Mayor's Request Requesting a transfer of \$8,250 from the Salary Contingency Salaries Account to the Board of Aldermen Salaries Monthly Account to implement the recommendations of the Classification and Compensation Study.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

28. #193898 Mayor's Request Requesting a transfer of \$6,880 from the Capital Projects Salaries Account to the Constituent Services Salaries Account to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED

Ald. O'Donovan recused.

29. #193899 Mayor's Request Requesting a transfer of \$5,000 from the DPW School Custodians Salaries Account to the DPW Buildings and Grounds Salaries Account to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED

Ald. O'Donovan recused.

30. #193900 Mayor's Request Requesting the use of \$4,473 in Available Funds in the Sewer Enterprise Fund Salary Contingency Account to implement the recommendations of the Classification and Compensation Study.

RESULT: APPROVED

Ald. O'Donovan recused.

31. #193901 Mayor's Request Requesting authorization for the Department of Public Works to pay FY12 invoices totaling \$2,475.27.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

32. #193902 Mayor's Request Requesting authorization for the Police Department to pay Fiscal Year 2012 invoices totaling \$340.10.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

33. #193903 Mayor's Request Requesting approval to declare as Surplus 8 vehicles in the Police Department.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

34. #193904 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: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

35. #193905 Mayor's Request Requesting the appointment of Akil Williams to the Library Board of Trustees.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Confirmation of Appointments Committee

36. #193906 Mayor's Communication Conveying the 2011 Annual Report of the Somerville Bicycle Advisory Committee.

RESULT: PLACED ON FILE

COMMUNICATIONS OF CITY OFFICERS

37. #193907 Officer's Communication Licensing Commission responding to #193576 re: posting certain notices at the applicant's establishment.

RESULT: PLACED ON FILE

NEW BUSINESS

38. #193908 License/Permit Public Event Permit, Ghost Scorpion Productions Halloween Concert, Davis Sq. Statue Park, Oct 27, 6PM-9:45PM (raindate Oct 31).

RESULT: APPROVED

39. #193909 License/Permit Public Event Permit, Assembly Row Black Friday Promotional Tent, Davis Sq. Statue Park, Nov 23, 7AM-Noon.

RESULT: APPROVED

40. #193910 License/Permit New Drainlayer's License, Diaz Construction.

RESULT: APPROVED

41. #193911 License/Permit Sign/Awning Permit, Rockland Trust Company, 94 Highland Ave., 3 signs.

RESULT: APPROVED

42. #193912 Public Communication Michele Biscoe submitting comments re: #193830, skateboard shows or competitions at Kelley Park.

RESULT: PLACED ON FILE

SUPPLEMENTAL ITEMS

43. #193913 Resolution By Ald. Taylor, and the Entire Board and the Mayor That this Board and Mayor affirms the dignity and basic human rights of all persons, and declares that it refrains from using the word "illegals" and its derivatives when referring to people.

RESULT: APPROVED

44. #193914 Order By Ald. Taylor That the Commissioner of Public Works repair the sidewalk at 8 Giles Park.

RESULT: APPROVED

45. #193915 Order By Ald. Taylor That the Director of Traffic and Parking and the Traffic Engineer consider placing a crosswalk on Somerville Avenue at its intersection with Spring Street.

RESULT: APPROVED

46. #193916 Order By Ald. Taylor
That the Director of Traffic and Parking replace the RESIDENT PARKING signs on Spring Hill Terrace.

RESULT: APPROVED

47. #193917 Order By Ald. Taylor
That the Chief of Police communicate to this Board the policy on hot pursuit on city streets involving criminal activity.

RESULT: APPROVED

48. #193918 Mayor's Request Requesting that \$5,800,000 of the \$6,500,000 authorized to be borrowed in a bond to pay the costs of renovations to the Powder House Community School, on June 24, 2004, be rescinded.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

49. #193919 Mayor's Request Requesting an appropriation of \$222,779 from the Capital Stabilization Fund to fund the Second Phase of the Davis Square Streetscape and Transportation Design Contract.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Finance Committee

50. #193920 Officer's Communication Assistant City Solicitor responding to #192528, and submitting a revised Mobile Food Vendor Ordinance.

RESULT: ORDINANCE ORDAINED. [UNANIMOUS]

AYES: Connolly, Desmond, Sullivan, White Jr., Heuston, Taylor, Lafuente, Gewirtz

ABSENT: William M. Roche, Sean T. O'Donovan, Robert C. Trane

51. #193921 Director of Traffic and Parking responding to #193832 re: Morrison Avenue Officer's crosswalks and bike sharrows. Communication

RESULT: PLACED ON FILE

52. #193922 Public Event Permit, Recreation Dept. Haunted House, Walnut St. From License/Permit Giles Park to Hillside Park, Oct 27, 2-10PM.

RESULT: APPROVED

53. #193923 Public Event Permit, Jingle Bell Run Road Race, Davis Square and area License/Permit streets, Dec 16, 5AM-2PM.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

54. #193924 Public Event Permit, Race of Ireland Road Race, Davis Square and area License/Permit streets, Mar 10, 2013, 5AM-2PM.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Licenses and Permits Committee

LATE ITEMS

55. #193925 Requesting acceptance of MGL c59 s5N re: veterans' earned tax abatements. Mayor's Request

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Legislative Matters Committee

56. #193926 State Rep. Toomey submitting comments re: Agenda #43, a Resolution Public affirming the dignity and human rights of all persons and opposing the use Communication of the word "illegal."

RESULT: PLACED ON FILE

57. #193510 New Outdoor Seating License, Fortissimo Coffeehouse and Bakery, 365
License/Permit Somerville Ave., 2 tables, 8 chairs.

RESULT: APPROVED

Discharged from the Committee on Licenses and Permits.

58. #193699 Sign/Awning Permit, Taj Mahal Desi Bazaar, 274 Broadway, one sign.
License/Permit

RESULT: APPROVED

Discharged from the Committee on Licenses and Permits.

ADJOURNMENT

Adjournment