

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

**REGULAR MEETING AGENDA**

April 23, 2009, 7:00 PM  
Aldermanic Chambers  
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**OPENING OF THE MEETING**

1. Roll Call Call of the Roll.
2. Minutes Approval of the minutes of the Regular Meeting of March 26, 2009.

**CITATIONS**

3. Citation By Ald. Sullivan and the Entire Board, Commending Martha Costa, Grand Marshal of Somerville's 2009 Memorial Day Parade.
4. Citation By Ald. Sullivan and the Entire Board, Commending the older Americans of Somerville during the celebration of May as Older Americans Month and the 44<sup>th</sup> anniversary of the Older Americans Act.

**PUBLIC HEARINGS**

None

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

5. Ordinance By Ald. Pero and Mayor Curtatone, Amending Ordinances 9-1(b) and 8-14, relative to the consumption of alcoholic beverages at festivals and similar events.
6. Resolution By Ald. Pero, That this Board requests that the Administration consider creating an on-line database so citizens can access specific street sweeping information.
7. Order By Ald. Pero, That the Director of Health bait the sewers in the area of Medford, Dartmouth and Essex Sts. for rodents.
8. Order By Ald. Roche, That the Director of SPCD inform the Ward 1 Alderman of the status of Harris Park.

9. Order By Ald. Roche, That the Director of SPCD inform the Ward 1 Alderman of the status of 0 New Washington St.
10. Order By Ald. Roche, That the Director of SPCD inspect 202-204 Pearl St. for any and all building and health code violations and cite the owner accordingly.
11. Order By Ald. Roche, That the Director of Traffic and Parking update the Ward 1 Alderman on the studies to prohibit truck traffic and control overall traffic flow on Myrtle St.
12. Order By Ald. Roche, That the Commissioner of Public Works repair the temporary patch at both corners of Gilman Terrace at Pearl St.
13. Order By Ald. Roche, That the City Solicitor provide an opinion on the enclosed MGL as it pertains to city business.
14. Comm. By Ald. Roche, Regarding a 'letter to the editor' and the Board's Resolution/Citation process.
15. Order By Ald. Roche, That the Chief of Police appear before this Board to update the members on the March 10th incident accusing Police Officers of wrong doing.
16. Resolution By Ald. Roche, Connolly, Pero, Heuston, O'Donovan and Trane, In support of the Police Dept.
17. Resolution By Ald. Roche, Pero, Connolly, Heuston, Taylor, White, O'Donovan and Trane, In support of the Fire Dept.
18. Order By Ald. Heuston, That the Commissioner of Public Works remove the abandoned planter on the sidewalk at 14 Hawkins St.
19. Order By Ald. Heuston, That the Commissioner of Public Works replace the pole and street sign at Adrian and Joseph Sts.
20. Order By Ald. Heuston, That the Commissioner of Public Works remove an old pole stub at 32 Lincoln Pkwy.
21. Order By Ald. Heuston, That the Commissioner of Public Works direct NStar to address the double pole at 6-8 Lincoln Pkwy. and the bolts that protrude from it which present a danger to pedestrians and children.
22. Order By Ald. Heuston, That the Commissioner of Public Works repair the pothole on Hawkins St.

23. Order By Ald. Heuston, That the Commissioner of Public Works lay mulch or other surface material at the Lincoln Park Tot Lot to protect children playing on the play structure.
24. Order By Ald. Heuston, That the Commissioner of Public Works direct NStar to fix the wires hanging from pole #99.
25. Order By Ald. Heuston, That the Commissioner of Public Works replace the sidewalk panels at 72 Properzi Way and at 29 Merriam St.
26. Order By Ald. Heuston, That the Commissioner of Public Works place pedestrian crossing barrels on Beacon St. at the following crosswalk locations: Shaw's Market - 65 Beacon St. and on Washington St. at Perry Park.
27. Order By Ald. Heuston, That the Commissioner of Public Works clear the area behind the Lincoln Park Tot Lot.
28. Order By Ald. Heuston, That the Commissioner of Public Works remove the tree stump at the Lincoln Park Tot Lot.
29. Order By Ald. Heuston, That the Director of Traffic and Parking paint yellow double lines on Newton and Dane Sts. to alert drivers to two way traffic.
30. Order By Ald. Heuston, That the Commissioner of Public Works replace the missing street sign at Hawkins and Lake Sts.
31. Order By Ald. Heuston, That the Commissioner of Public Works replace the planters in Union Sq. at the sign next to the SCAT Building.
32. Order By Ald. Heuston, That the Director of Traffic and Parking repaint the SLOW warning on Clark St.
33. Order By Ald. Heuston, That the Commissioner of Public Works repair the enclosure at the rear of the SCAT Building.
34. Order By Ald. Heuston, That the Commissioner of Public Works ensure that all lights are working in Lincoln Park, especially the aluminum lights which line the pedestrian walkway.
35. Order By Ald. Heuston, That the Commissioner of Public Works trim the tree at 32 Clark St.
36. Order By Ald. Heuston, That the Commissioner of Public Works remove the cement bollard at the end of Fremont St.

37. Order By Ald. Heuston, That the Director of SPCD dispatch the Neighborhood Impact Team to 314 and 338 Somerville Ave. for any and all code violations.
38. Order By Ald. Heuston, That the Commissioner of Public Works contact the US Postal Service for bins being left on city streets by postal workers near drop off boxes.
39. Order By Ald. Heuston, That the Commissioner of Public Works remove the broken light pole base at 304 Somerville Ave.
40. Order By Ald. Heuston, That the Commissioner of Public Works replace the missing cap on the water main access in the sidewalk at 20 Lincoln Pkwy.
41. Order By Ald. Heuston, That the Director of SPCD direct the property owner at 16 Lincoln Parkway to trim the hedges that protrude over the sidewalk.
42. Order By Ald. Taylor, That the City Solicitor and Animal Control Officer comment on the ability of private, for profit dog walking businesses to utilize the Off Leash Recreation Area at Nunziato Field without violating any city ordinances or obtaining any permits.
43. Order By Ald. Taylor, That the City Solicitor and the Animal Control Officer comment on why the posted Rules and Regulations at the Off Leash Recreation Area at Nunziato Field are not being enforced.
44. Resolution By Ald. Taylor, That the Administration, through the SPCD Director and the Grants Administrator, work with Save Our Somerville to secure seed funding through the Tony Hawks Foundation for the development of a Skateboard Park.
45. Order By Ald. Taylor, That the Director of Traffic and Parking place a GO SLOW sign before the Walnut St. Park to ensure the safety of children using that park.
46. Order By Ald. Taylor, That the Commissioner of Public Works verify to the Ward 3 Alderman that Hersey St. has been placed on the 2008-2009 street reconstruction list.
47. Order By Ald. Taylor, That the Commissioner of Public Works verify to the Ward 3 Alderman that Hersey St. has been placed on the 2008-2009 street reconstruction list.
48. Order By Ald. Taylor, That the Commissioner of Public Works assure the Ward 3 Alderman that Bow St. will be placed on the 2009-2010 street reconstruction list.

49. Order By Ald. Taylor, That the Chief of Police place a speed board on Walnut St. between Columbus and Sanborn Aves.
50. Order By Ald. Taylor and Desmond, That the Director of SPCD and the City Solicitor update the Ward 3 Alderman on enforcing city ordinances pertaining to 199 Summer St.
51. Order By Ald. Taylor and Gewirtz, That the Director of SPCD, the City Solicitor and the Director of Traffic and Parking report to the Ward 3 and Ward 6 Aldermen within 30 days on the ability of a residence on a No Parking side of a street to obtain 2 driveways.
52. Order By Ald. O'Donovan, That the Commissioner of Public Works place a fencing barrier in the city owned parking lot next to and continuing from the Somerville Junction Park out to Central St.
53. Order By Ald. O'Donovan, That the Commissioner of Public Works trim the tree at 25 Fiske Ave. now that NStar has completed its work.
54. Order By Ald. O'Donovan, That the Commissioner of Public Works remove any and all dead or dying trees on Porter St.
55. Order By Ald. O'Donovan, That the Commissioner of Public Works contact the Ward 5 Alderman to schedule a meeting to discuss several issues concerning the Ward.
56. Order By Ald. O'Donovan, That the Commissioner of Public Works report on the tree plantings at 26-28 Cedar St.
57. Order By Ald. O'Donovan, That the City Solicitor prepare an opinion on the legality of 10 residents occupying 31 Wilton St. on or before the April 27 Public Health and Safety Committee meeting.
58. Resolution By Ald. O'Donovan, That the Traffic Commission consider instituting permit parking on Albion St. between Lowell and Central Sts.
59. Order By Ald. O'Donovan, That the Commissioner of Public Works report on the progress of the replacement of sidewalk panels at 26-28 Cedar St.
60. Order By Ald. Desmond and O'Donovan, The Director of Traffic and Parking study the timing of the traffic lights in Magoun Sq., particularly for traffic going north on Medford St. across Broadway.

- 61. Resolution By Ald. Desmond and O'Donovan, That the Dedication Commission consider naming the Playground at the Elm St. side of the Kennedy School in honor of Brian Higgins, a special needs student from the Kennedy School who passed away in 2002 at the age of nine, noting that the special needs apparatus at the playground was donated by the Brian Higgins Foundation.
- 62. Order By Ald. Desmond, O'Donovan and Taylor, The City Solicitor and the Animal Control Officer appear before the Committee on Public Health and Safety to explain the regulations preventing the city from capturing and disposing of wild animals such as foxes and wild turkeys that could do harm to small children and family pets.

**UNFINISHED BUSINESS**

- 63. Citation By Ald. Gewirtz and the Entire Board, Congratulating the Burren, recently named one of America's Top 10 Irish Pubs.

**REPORTS OF COMMITTEES**

- 64. Committee Report of the Committee on Land Use, April 8. Report
- 65. Committee Report of the Committee on Land Use, April 15. Report
- 66. Committee Report of the Committee on Finance, April 14. Report
- 67. Committee Report of the Committee on Legislative Matters, April 14. Report
- 68. Committee Report of the Committee on Housing & Community Development, April 21.
- 69. Committee Report of the Committee on Youth Services, April 21. Report
- 70. Committee Report of the Committee on Licenses & Permits, April 22. Report

**COMMUNICATIONS OF THE MAYOR**

- 71. Mayor's Request Requesting approval of an amendment to the Zoning Ordinance, creating six new zoning districts in the Union Sq./Boynton Yards vicinity, and making related city-wide zoning ordinance amendments.

72. Mayor's Request Requesting approval of new rates for city contributions to retiree health insurance premiums, pursuant to MGL c32B ss 9E and 16.
73. Mayor's Request Requesting acceptance of MGL c32B s18, regarding retiree health coverage under Medicare and municipal Medicare extension plans.
74. Mayor's Request Requesting approval of a charge of \$30 for each written demand issued by the Treasurer, pursuant to MGL c60 s15 and c182 s15 of the Acts of 2008.
75. Mayor's Request Requesting approval of an amendment to Ordinance 1-11(b), establishing or increasing certain parking fines.
76. Mayor's Request Requesting approval to transfer \$460,000 from the Fund Balance Surplus Acct. to the DPW Street Reconstruction Acct.
77. Mayor's Request Requesting approval to transfer \$32,000 from the Debt Service Principal on Long Term Debt Acct. to the Veterans Dept. Veterans Benefits Acct.
78. Mayor's Request Requesting approval of an amendment to SPCD's 2008 HUD 1-Year Action Plan, to authorize the expenditure of an additional \$1,953,111 in ARRA funding, and to revise the HUD program year to align it with the city fiscal year.
79. Mayor's Request Requesting approval to expend a \$4,000 grant from the New England Grassroots Environmental Fund to support the Arts Council's Mystic Mural Project.
80. Mayor's Request Requesting approval to expend a \$1,000 grant from the MetLife Foundation to support the Arts Council.
81. Mayor's Request Requesting approval to accept the donation of a used ambulance by Cataldo Ambulance Service, to be used by the Police Dept.'s Special Operations Unit.
82. Mayor's Request Requesting approval to appoint Scott Kingsley as Constable.
83. Mayor's Request Requesting approval to appoint Charles Carneglia as Constable.
84. Mayor's Request Requesting approval to appoint Avery Marie Anderson to the Library Board of Trustees.
85. Mayor's Request Requesting approval to appoint Patricia Wellenkamp to the Arts Council.

- 86. Mayor's Request Requesting approval to appoint Benjamin Morse to the Arts Council.
- 87. Mayor's Request Requesting approval to appoint Elizabeth Johnson to the Commission on Energy Use and Climate Change.
- 88. Mayor's Request Requesting approval to re-appoint Eric Becker to the Commission on Energy Use and Climate Change.
- 89. Mayor's Request Requesting approval to re-appoint Jean Sideris to the Commission on Energy Use and Climate Change.
- 90. Mayor's Request Requesting approval to re-appoint David Jordan to the Commission on Energy Use and Climate Change.
- 91. Mayor's Request Requesting approval to re-appoint Ian Finlayson to the Commission on Energy Use and Climate Change.

**COMMUNICATIONS OF CITY OFFICERS**

- 92. Officer's Request City Clerk submitting recommendations for adjustments to certain fees charged by the City Clerk's Office, effective July 1, 2009.
- 93. Officer's Comm.. Asst. City Solicitor conveying an updated Tree Preservation Ordinance, creating new Sections 12-100 through 12-105.

**NEW BUSINESS**

- 94. Public Occ Public Event Permit, Independent Film Society of Boston Film Festival, Davis Sq. Statue Park, Apr. 22-24, 2-10PM & Apr. 25-26, 11AM-11PM.
- 95. Public Occ Public Event Permit, Somerville Allied Veterans Council Flag Can Drive, Broadway at McGrath Hwy. and at Medford St., May 2, 3, 9, 10,16 & 17, 10AM-1PM.
- 96. Public Occ Public Event Permit, Friends of the Community Growing Center, Nunziato Field, various dates and times May-Oct.
- 97. Public Occ Public Event Permit, Mudflat Pottery Sidewalk Sale, Davis Sq. Statue Park, June 6, 9AM-1PM.
- 98. Public Occ Public Event Permit, Day of Portugal Parade, Concord Sq., June 21, 12-3PM.
- 99. Drainlayer New Drain Layer's License, Tufts Inc., 142R Mystic Ave.
- 100. Drainlayer New Drain Layer's License, Michael A. Ruggeri.

101. Drainlayer Renewal of Drain Layer's License, CJ Doherty Inc.
102. Drainlayer Renewal of Drain Layer's License, Snake It Away Inc.
103. Drainlayer Renewal of Drain Layer's License, Caruso Corp.
104. Drainlayer Renewal of Drain Layer's License, D'Alelio Construction Co. Inc.
105. Flammable Renewal of Flammable License, Mobil Mart Plus Inc., 379-387 Alewife Brook Pkwy., 33,450 gallons.
106. Flammable Renewal of Flammable License, Somerville Citgo Inc., 620 Broadway, 36,000 gallons.
107. Flammable Renewal of Flammable License, Elias & Abe Auto Repair Inc., 254-258 Broadway., 27,045 gallons.
108. Flammable Renewal of Flammable License, Broadway Henry LLC, 38-44 Broadway, 6,256 gallons.
109. Flammable Renewal of Flammable License, Home Depot #2667, 75 Mystic Ave., 34,136 gallons.
110. Flammable Renewal of Flammable License, U-Haul Company of Boston Inc., 151 Linwood St., 2,280 gallons.
111. Flammable Renewal of Flammable License, U-Haul Company of Boston, 600 Mystic Valley Pkwy., 14,000 gallons.
112. Flammable Renewal of Flammable License, Henley Enterprises Inc. dba Valvoline, 182 Washington St., 3,000 gallons.
113. Flammable Renewal of Flammable License, Dewire Family Trust, James Dewire Trustee, 387 Washington St., 3,500 gallons.
114. Flammable Renewal of Flammable License, Burton F. Faulkner Tower, 25-27 Highland Ave., 10,000 gallons.
115. Flammable Renewal of Flammable License, Beacon Sales Co., 50 Webster Ave., 6,630 gallons.
116. Flammable Renewal of Flammable License, Broadway Petroleum Inc., 1284-1286 Broadway, 23,500 gallons.
117. Flammable Renewal of Flammable License, General Glass and Mirror Corp., 231 Lowell St., 1,000 gallons.

118. Outdoor Seating Renewal of Outdoor Seating License, Taipei Tokyo Café, 7 Holland St., 3 tables & 6 chairs.
119. Outdoor Seating Renewal of Outdoor Seating License, Cibobella Inc. dba Sagra, 400 Highland Ave., 6 tables, 12 chairs, 1 sidewalk sign.
120. Outdoor Seating Renewal of Outdoor Seating License, Galwegan Inc. dba The Burren, 247 Elm St., 6 tables & 24 chairs.
121. Outdoor Seating Renewal of Outdoor Seating License, Davis Sq. Food Services Inc. dba Boston Burger Co., 37 Davis Sq., 5 tables, 10 chairs, 1 sidewalk sign.
122. Extended Hrs Renewal of Extended Hours License, Trustees of Tufts College Mayer Campus Center, 44 Professors Row, Sept.-May; Th-Sa to 2AM.
123. Extended Hrs Renewal of Extended Hours License, Trustees of Tufts College Tisch Library Café, 35 Professors Row, Sept.-May; Th-Sa to 1AM.
124. Extended Hrs Renewal of Extended Hours License, Moe's B.B.Q Trolley at Packard Ave. & Professor's Row only, Th-Sa and holiday eves to 3AM.
125. Extended Hrs Renewal of Extended Hours License, Wang's Fast Food, 509 Broadway, Mo-Su to 1AM.
126. Extended Hrs Renewal of Extended Hours License, Red House Restaurant, 24 Union Sq., Su-Th to 1:30AM, Fr-Sa to 2AM.
127. Hawker Peddler Renewal of Hawker/Peddler License, Moe's BBQ Trolley, Trum Field and Tufts University.
128. Billiard Renewal of Billiard/Pool Table License, Diesel Café Inc., 257 Elm St., 2 pool tables.
129. Outdoor Parking New Outdoor Parking License, ABJ Foreign Auto Supply Inc. dba Foreign Auto Repair, 91 Marshall St., 8 autos.
130. Outdoor Parking Renewal of Outdoor Parking License, FW Russell & Sons Disposal Inc., 120 McGrath Hwy., 25 autos.
131. Sign New Sign/Awning Permit, Damata Hair Design, 85B Broadway, Awning.
132. Used Car New Used Car Dealers License Class II, Susan Del Conte dba 1098 Auto Brokers, 1081 Broadway, 0 autos.

133. Used Car Renewal of Used Car Dealers License Class II, Anthony's Auto Sales, 52 Medford St., 0 autos.
134. Garage New Garage License, Metro Auto Repair, 47 Webster Ave., 14 auto inside, 6 outside.
135. Garage Renewal of Garage License with Amendment, BH Towing & Auto Service, 13 Joy St., 9 autos inside, 1 outside, hours extended Sa 8AM-3PM.
136. Garage Renewal of Garage License with Amendment, Goodyear Auto Service Center #0354, 1Bow St., 6 autos inside, hours extended Su 9AM-5PM.
137. Garage Amendment of Garage License, Henley Enterprises Inc. dba Valvoline Oil, 182 Washington St., hours extended Su, May 3 only, 11AM-4PM.
138. Garage Renewal of Garage License, United Auto Repair, 64-68 Joy St., 6 autos inside, 2 outside.
139. Garage Renewal of Garage License, Dewire Family Trust, James Dewire Trustee, 139-147 Beacon St., 22 autos inside.
140. Garage Renewal of Garage License, Dewire Family Trust, James Dewire Trustee, 381-383 Washington St., 22 autos inside, 30 outside.
141. Garage Renewal of Garage License, Dewire Family Trust, James Dewire Trustee, 387 Washington St., 12 autos inside.
142. Garage Renewal of Garage License, JVM Corporation dba U Call We Haul, 9R Sherman St., 10 autos outside.
143. Garage Renewal of Garage License, Boston Sand And Gravel Co., 494 Rutherford Ave., 60 autos inside.
144. Garage Renewal of Garage License, Leins Auto Repairs, 69-71 Bow St., 2 autos inside, 8 outside.
145. Garage Renewal of Garage License, Mac's Auto Body Inc., 53-55 Russell St., 10 autos inside, 8 outside.
146. Garage Renewal of Garage License, Frank & Ed's Inc., 483 Somerville Ave., 3 autos inside.
147. Garage Renewal of Garage License, Krisco Corp. dba MAACO Auto Painting, 444 Somerville Ave., 75 autos inside.

148. Garage Renewal of Garage License, ABJ Foreign Auto Supply Inc., 91 Marshall St., 3 autos inside, 27 outside.
149. Garage Renewal of Garage License, J & E Auto Body Inc., 9 Hawkins St., 2 autos inside, 4 outside.
150. Garage Renewal of Garage License, Hillside Jaquar Inc., 45 Mystic Ave., 10 autos inside.
151. Garage Renewal of Garage License, Broadway Henry LLC, 28-30 Broadway, 4 autos inside, 6 outside.
152. Garage Renewal of Garage License, Gene Automotive Repair, 56 Joy St., 10 autos inside, 3 outside.
153. Garage Renewal of Garage License, Inman Capital Cars dba Inman Motor Sales, 121-123 Prospect St., 4 autos inside.
154. Garage Renewal of Garage License, Inman Auto Center, 45 Webster Ave., 13 autos inside, 4 outside.
155. Garage Renewal of Garage License, C.J. Doherty Inc., 400 Mystic Ave., 400 Mystic Ave., 4 autos inside, 8 outside.
156. Garage Renewal of Garage License, Chicken & Shakes Automotive, 6A-6B Beach Ave., 8 autos inside.
157. Garage Renewal of Garage License, U-Haul Co. of Boston Inc., 151 Linwood St., 10 autos inside, 80 outside.
158. Garage Renewal of Garage License, F.W. Russell & Sons Disposal Inc., 120 McGrath Hwy., 4 autos inside, 21 outside.
159. Garage Renewal of Garage License, James E. Linaryd dba Jim's Heavy Duty Service, 42 Joy St., 7 autos inside.
160. Garage Renewal of Garage License, All Rite Auto Inc., 38-42 Medford St., 4 autos inside, 6 outside.
161. Garage Renewal of Garage License, Walnut Hill Auto Body Inc., 235 Lowell St., 8 autos inside, 2 outside.
162. Garage Renewal of Garage License, Beacon Sales Co., 50 Webster Ave., 8 autos inside.
163. Garage Renewal of Garage License, General Glass and Mirror Corp., 231 Lowell St., 5 autos inside, 5 outside.
164. Taxi Med Taxi Medallion Refinancing, Halligan Corp., Med. #63.

- 165. Comm. Marjie Alonso re: dog walkers in dog parks.
- 166. Comm. Rita Veivat re: installing a cross walk on Somerville Ave.
- 167. Comm. Darcy Duke re: security cameras.

**LATE ITEMS**