

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

MINUTES OF THE REGULAR MEETING

January 22, 2009, 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.

PRESENT for all or part of the meeting: President Walter F. Pero, Vice President John M. Connolly, Aldermen Bruce M. Desmond, Dennis M. Sullivan, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Rebekah L. Gewirtz, Robert C. Trane

OPENING OF THE MEETING

- | | | | |
|----|-----------|--|--------------------------|
| 1. | Roll Call | Call of the Roll. | 186744
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of December 30, 2008. | 186745
Approved |

CITATIONS

- | | | | |
|----|----------|---|--------------------|
| 3. | Citation | By Ald. Pero and the Entire Board, Commending Joanne Burke, who is retiring after 34 years of dedicated service to the City, including 20 years as Executive Secretary of the Licensing Commission. | 186746
Approved |
| 4. | Citation | By Ald. Taylor, Heuston and the Entire Board, Commending Jack Hamilton who is retiring after 25 years of dedicated service to the community as Executive Director of Community Action Agency of Somerville. | 186747
Approved |

PUBLIC HEARINGS

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| 5. | Grant of Location | NStar Electric for a grant of location to install 9 feet of conduit at 221 Beacon St. | 186748
Approved w/condition:
That no public ways or spaces be blocked without DPW approval,
Ald Roche recused |
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ORDERS, ORDINANCES, RESOLUTIONS
AND MOTIONS OF MEMBERS

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| 6. | Order | By Ald. Roche, That the Chief of Police forward to this Board, all public safety incidents documented at the LaQuinta Inn on Cummings St. since Jan. 1, 2008. | 186749
Approved, Copy to
Public Health & Safety
and Licenses & Permits |
| 7. | Order | By Ald. Roche, That the Commissioner of Public Works request that DCR routinely clear the sidewalk between Cross and Washington Sts. alongside the on-ramp for McGrath Hwy. from ice and snow, along with the other DCR owned sidewalks. | 186750
Approved |
| 8. | Order | By Ald. Roche, That the Director of Traffic and Parking monitor the corners of Cross St. at Gilman and Oliver Sts., for vehicles parking in violation of the setbacks. | 186751
Approved |
| 9. | Order | By Ald. O'Donovan, That the Commissioner of Public Works notify NStar to repair the street light at 14 Clyde St. | 186752
Approved |
| 10. | Order | By Ald. Heuston, That the Director of SPCD clarify the ownership and current zoning of the six acres of Somerville land in the North Point Development. | 186753
Approved, Copy to
Housing & Community
Development |
| 11. | Order | By Ald. Heuston, That the Director of SPCD clarify the ownership of all property in the Yard 8 storage area between Inner Belt Rd. and the rail line. | 186754
Approved, Copy to
Housing & Community
Development |
| 12. | Order | By Ald. Heuston, That the Director of SPCD direct the Beacon St. Star Market to cease snow removal before 7 AM, and advise them about the noise ordinance. | 186755
Approved |
| 13. | Order | By Ald. Connolly, That the Director of SPCD or her designee appear before this Board's Committee on Youth Services to discuss the progress of skate park plans. | 186756
Approved, Copy to
Youth Services |
| 14. | Order | By Ald. Connolly, That the Commissioner of Public Works request the presence of all utilities at a meeting of this Board's Committee on Public Utilities and Works to report on double poles and other items of concern. | 186757
Approved as Amended:
That the Commissioner
also issue no permits to
Verizon until they
explain service shutoffs
in Ward 7, Copy to
Public Utilities &
Works |

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| 15. | Order | By Ald. Connolly, Desmond, Sullivan and White, That the Chief Fire Engineer appear before this Board's Committee on Public Health and Safety to report on the safety of all fire truck apparatus, especially the ladder truck, in light of the recent tragedy with the Boston Fire Dept. | 186758
Approved, Copy to
Public Health & Safety |
| 16. | Order | By Ald. Desmond and O'Donovan, That the Commissioner of Public Works repair potholes on both ends of Porter St. | 186759
Approved |
| 17. | Order | By Ald. Desmond and O'Donovan, That the Director of SPCD inform the owner/landlord of 495 Broadway that the building's alarm has repeatedly sounded at early morning hours, disturbing the neighbors' peace and wasting the Police's time, and that they will be fined if this continues. | 186760
Approved |
| 18. | Order | By Ald. Desmond, O'Donovan and Heuston, That the Director of SPCD report back to this Board on Cambridge's development plans for Porter Sq. | 186761
Approved |
| 19. | Order | By Ald. Desmond, O'Donovan and Heuston, That the Director of SPCD report back to this Board on the air rights and zoning along the Somerville Ave. railroad tracks, from the intersection of Somerville Ave. and Elm St. to Porter Sq., as well as along White St. and White St. Place. | 186762
Approved |
| 20. | Order | By Ald. Sullivan, White, Roche, Gewirtz, Desmond and Heuston, That the Chief Fire Engineer, Chief of Police and Commissioner of Public Works appear before this Board's Committee on Public Health and Safety to discuss vehicle maintenance. | 186763
Approved, Copy to
Public Health & Safety |
| 21. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration report to this Board exactly what the new surveillance cameras purchased through the Dept. of Homeland Security are recording, how these tapes will be used and whether protections have been put in place to ensure the civil liberties of our residents. | 186764
Approved, Copy to
Public Health & Safety |
| 22. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration secure funding in the next budget or devote staff resources for a visioning process for Davis Sq. to determine how best to meet the needs of businesses and residents, and offset the realities of the aging of the square. | 186765
Approved |
| 23. | Order | By Ald. Gewirtz, That the Commissioner of Public Works install a new light post at Kidder and College Aves. for the safety of residents living in the area. | 186766
Approved |

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| 24. | Order | By Ald. Gewirtz and Desmond, That City Solicitor draft an ordinance to curtail mass phone book distribution in the interest of the environment and the convenience of residents, and provide an advisory opinion about how to do this so that phone books are available upon request but are not littered on doorsteps of those who do not want them. | 186767
Approved |
| 25. | Resolution | By Ald. Gewirtz and Heuston, That this Board requests that the Administration provide this Board with any contingency plans given the Governor's new authority to cut the budgets of cities and towns mid-year and the anticipation of his announcement on Jan. 28, about mid-year cuts and the FY10 budget, and report to the Finance Committee on mid-year cost saving opportunities. | 186768
Approved, Copy to
Finance |
| 26. | Resolution | By Ald. Gewirtz and Heuston, That this Board requests that Doug Foy appear before this Board's Committee on Housing and Community Development to discuss his role in the CBT/Greenburg study that recommended the siting of a soccer stadium at Inner Belt. | 186769
Approved, Copy to
Housing & Community
Development |
| 27. | Order | By Ald. White and Gewirtz, That the Director of SPCD, Superintendent of Inspectional Services and a representative of the Assessor appear before this Board's Committees on Public Health and Safety and Housing and Community Development to discuss home foreclosures. | 186770
Approved, Copy to
Public Health & Safety
and Housing & Comm.
Development |
| 28. | Order | By Ald. White and Sullivan, That a representative of the City Solicitor appear before this Board's Committee on Legislative Matters to address regulating the non-mail distribution of advertising brochures and phone books. | 186771
Approved, Copy to
Legislative Matters |
| 29. | Order | By Ald. Taylor, That the Director of Traffic and Parking and the Commissioner of Public Works evaluate the possibility of a NO PARKING sign 10 feet from the entrance to the parking lot at 186 Highland Ave. | 186772
Approved |
| 30. | Order | By Ald. Taylor and Heuston, That the Director of Traffic and Parking and the Chief of Police monitor traffic on Somerville Ave. from Bow to School Sts. on Saturdays and holidays for congestion and pedestrian safety. | 186773
Approved |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 31. | Committee Report | Report of the Committee on Finance, Jan. 13. | 186774
Approved |
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31A.	Mayor's Request	Requesting approval to expend a grant of \$400,000 Active Living By Design Healthy Kids, Healthy Communities Grant from the Robert Wood Johnson Foundation to the Health Dept. for the Shape Up Somerville Program.	186626 Approved
31B.	Mayor's Request	Requesting approval to expend a grant of \$263,408.16 from the MA Office of Public Safety, for the Police's Community Policing programs, purchases or construction.	186627 Approved
31C.	Mayor's Request	Requesting approval to expend a grant of \$114,000 from the MA Technology Collaborative for the Mayor's Office of Sustainability and Environment, to install a 10kw photovoltaic solar panel array at the Central Library and High School.	186628 Approved
31D.	Mayor's Request	Requesting approval to extend a contract with J&J General Contractors Inc. for construction of the Argenziano School, to 6/30/09.	186711 Approved
31E.	Mayor's Request	Requesting approval to expend a grant of \$136,435 from the MA 911 Dept. Support and Incentive Grant Program to the Police Dept. for compensation issued to employees.	186715 Approved
31F.	Mayor's Request	Requesting approval to expend a grant of \$21,000 from the MA Office of Public Safety for the Police Dept.'s Click it or Ticket and You Drink & Drive, You Lose programs.	186716 Approved
31G.	Mayor's Request	Requesting approval to expend a grant of \$15,787 from the MA Office of Public Safety for the Fire Dept. to purchase firefighter equipment.	186717 Approved
31H.	Resolution	By Ald. Pero, That this Board requests that the Administration arrange for J and J Contractors to appear before the Finance Committee to discuss unfinished business at the Argenziano School.	186775 Approved, Copy to Finance
31I.	Order	By Ald. Heuston, That the Director of Finance appear before the Finance Committee when all Argenziano School documents are completed, to discuss the final payout.	186776 Approved, Copy to Finance
32.	Committee Report	Report of the Committees on Finance and Housing & Community Development meeting jointly, Jan. 13.	186777 Approved
32A.	Resolution	By Ald. Heuston, That this Board requests that the Administration restore item 5A (Union Square Main Sts.) on the FY10 HUD Action Plan to \$75,000.	186778 Approved
33.	Committee Report	Report of the Committee on Legislative Matters, Jan. 13.	186779 Approved

33A.	Mayor's Request	Requesting approval under G.L.c.268A to classify as Special Municipal Employees all members of the Technical Advisory Committee created to review requests for qualifications and requests for proposals for the Davis Sq. Hotel and parking garage property disposition.	186629 Placed on File
34.	Committee Report	Report of the Committee on Licenses & Permits, Jan. 15.	186780 Approved
34A.	Used Car	Renewal of Used Car Dealers License Class II, Foreign Auto Wholesalers LLC, 80 Pearl St., 2 autos.	186643 Approved
34B.	Used Car	Renewal of Used Car Dealers License Class II, Broadway Auto Sales dba Sooren Inc., 525 Broadway., 11 autos.	186644 Approved
34C.	Used Car	Renewal of Used Car Dealers License Class II, Benny's Autos Sales, 508 Somerville Ave., 2 autos inside, 8 outside.	186645 Approved
34D.	Used Car	Renewal of Used Car Dealers License Class II, Unlimited Auto Body Inc., 471 Somerville Ave., 10 autos.	186646 Approved
34E.	Used Car	Renewal of Used Car Dealers License Class II, D.M. Auto Body Inc., 48 Joy St. 13 autos.	186647 Approved
34F.	Used Car	Renewal of Used Car Dealers License Class II, Prestige Auto Imports Inc. dba Webster Auto Sales, 61 Prospect St., 22 autos outside.	186648 Approved
34G.	Used Car	Renewal of Used Car Dealers License Class III, T.C. Auto Exchange, 176-178 Tremont St.	186649 Approved
34H.	Used Car	Renewal of Used Car Dealers License Class III, Joseph Talewsky & Son Inc., 512 Columbia St.	186650 Approved
34I.	Used Car	Renewal of Used Car Dealers License Class III, Joseph Talewsky & Son Inc., 517 Columbia St.	186651 Approved
34J.	Used Car	Renewal of Used Car Dealers License Class II, Leins Auto Repair Inc., 65½ Bow St., 17 autos.	186672 Approved
37K.	Used Car	Renewal of Used Car Dealers License Class II, Motorcycles and More LLC, 107 Bailey Rd., No autos.	186673 Approved
34L.	Used Car	Renewal of Used Car Dealers License Class II, Auto Gallery Group Inc. dba American Auto Gallery, 682 Mystic Ave., 20 autos outside & 2 inside.	186674 Approved
34M.	Used Car	Renewal of Used Car Dealers License Class II, Neeka Inc. dba Manny's Auto Center, 463 McGrath Hwy., 30 autos outside.	186676 Approved

34N.	Used Car	Renewal of Used Car Dealers License Class III, Ed's Used Autos Parts, 516-518 Columbia St.	186677 Approved
34O.	Used Car	Renewal of Used Car Dealers License Class II, Souza Bros. Foreign Car Service Inc., 35-37 Prospect St., 21 autos.	186741 Approved
34P.	Used Car	Renewal of Used Car Dealers License Class II, Master Used Cars LLC, 121 Prospect St., 46 autos.	186742 Approved
34Q.	Order	By Ald. Trane, That petitioners for extended hours bear the expense of notifying neighbors of public hearings, and that licenses be displayed in the establishment.	186781 Approved
34R.	Order	By. Ald. Heuston, That the Chief of Police provide the Licenses and Permits Committee with a list of businesses that have had late night complaints lodged against them.	186782 Approved, Copy to Licenses & Permits
34S.	Order	By Ald. Heuston, That the Director of SPCD notify Royal White Laundry that they are in violation of their hours of operation.	186783 Approved
34T.	Order	By Ald. Heuston, That the Clerk of Committees notify the owner/operator of Royal White Laundry to appear before the Committee on Licenses and Permits for a public hearing concerning their hours of operation.	186784 Approved
34U.	Order	By Ald. Heuston, That the Director of SPCD determine if the Red House in Union Sq. is in violation of its permitted hours of operation.	186785 Approved
34V.	Order	By Ald. Desmond, That the City Clerk be involved in the policy structure for extended hours.	186786 Approved
34W.	Order	By Ald. Heuston, That the Clerk of Committees notify the owner/operator of Burger King on Somerville Ave. to appear before the Committee on Licenses and Permits for a public hearing concerning the hours of operation.	186787 Approved
34X.	Order	By Ald. Heuston, That the Chief of Police and the Director of SPCD notify the owner/operators of Burger King on Somerville Ave. that they are in violation of their permitted hours of operation.	186788 Approved
35.	Committee Report	Report of the Committee on Confirmation of Appointments, Jan. 20.	186789 Approved
35A.	Mayor's Request	Requesting the appointment of Edward Mostone as Constable.	186024 Approved
35B.	Mayor's Request	Requesting the appointment of William Gage to the Somerville Redevelopment Authority.	186630 Approved

35C.	Mayor's Request	Requesting the re-appointment of John Gannon to the position of City Solicitor for a one year term.	186721 Approved
35D.	Mayor's Request	Requesting the re-appointment of Edward Bean to the position of City Auditor.	186722 Approved
35E.	Mayor's Request	Requesting the re-appointment of Elizabeth Craveiro to the position of Treasurer/Collector of Taxes for a one year term.	186723 Approved
35F.	Mayor's Request	Requesting the re-appointment of Rositha Durham to the position of Purchasing Agent for a one year term.	186724 Approved
35G.	Mayor's Request	Requesting the re-appointment of Carol Antonelli to the position of Superintendent of Water Works for a one year term.	186725 Approved
35H.	Mayor's Request	Requesting the re-appointment of Steven MacEachern to the position of Supt. Of Highway, Lines and Lights for a one year term.	186726 Approved
35I.	Mayor's Request	Requesting the re-appointment of George Landers to the position of Supt. Of Inspectional Services for a one year term.	186727 Approved
35J.	Mayor's Request	Requesting the re-appointment of Charles O'Brien Jr. to the position of City Engineer for a one year term.	186728 Approved
35K.	Mayor's Request	Requesting the re-appointment of Frank Santangelo to the position of Supt. of Building and Grounds for a one year term.	186729 Approved
35L.	Mayor's Request	Requesting the re-appointment of Frank Senesi to the position of Director of Veterans Services for a one year term.	186743 Approved
36.	Committee Report	Report of the Committees on Legislative Matters and Finance meeting jointly, Jan. 20.	186790 Approved as Amended: #186446 approved to amend dog violations ordinance only
36A.	Ordinance	By Ald. Heuston, That the following amendments to Sections 12-8 and 12-9, regarding snow removal, and 1-11(b), regarding dog violations (3-38), be enacted.	186446 Approved for the amendment of 1-11(b) re: 3-38 (dog violations) only, Enrolled and Ordained

36B.	Order	By Ald. Heuston, That the City Solicitor draft new language for the snow removal ordinance specifying that central business districts and squares clear paths of 42” and that residential properties maintain a clear path.	186791 Approved
36C.	Order	By Ald. Heuston, That the City Solicitor draft new language for the snow removal ordinance specifying a \$300 fine on contractors dumping snow on public ways.	186792 Approved
37.	Committee Report	Report of the Committee on Licenses & Permits, Jan. 21.	186793 Approved as Amended: #186642 Laid on Table via Sec. 15 by Ald. Connolly
37A.	Extended Hours	Amendment of Extended Hours License, Golden Light Restaurant, 24 College Ave., Su-Th to 1:30AM, Fr-Sa to 2AM.	186642 Laid on Table via Sec. 15 by Ald. Connolly
37B.	Amusemnt	New Automatic Amusement Device License, 381 Summer St. Restaurant Inc. dba RoseBud, 381 Summer St., 3 devices.	186670 Approved
37C.	Amusemnt	Renewal of Automatic Amusement Device License, Northeast Motel Associates dba Holiday Inn, 30 Washington St., 1 device.	186671 Approved

COMMUNICATIONS OF THE MAYOR

38.	Mayor’s Request	Requesting approval to expend a grant of \$2,969.50 from Federal Realty Investment Trust for Fire Dept. Overtime from the Assembly on the Mystic event on Oct. 4, 2008.	186794 Approved
39.	Mayor’s Request	Requesting the re-appointment of Darcy Haynes as Constable.	186795 Approved

COMMUNICATIONS OF CITY OFFICERS

40.	Officer’s Comm.	Planning Dept. responding to #186405 re: proposed Union Square Zoning Amendments.	186796 Land Use
41.	Officer’s Comm.	Asst. City Solicitor submitting a revision to a proposed Ordinance (#186446) regarding snow, slush and ice on sidewalks.	186797 Legislative Matters
42.	Officer’s Comm.	Asst. City Solicitor responding to #186556 re: Revocation of 2AM Liquor Licenses.	186798 Placed on File
43.	Officer’s Comm.	Chief Fire Engineer responding to #186697 re: 61 Clyde St.	186799 Placed on File

44.	Officer's Comm.	Director of SPCD responding to various board orders.	186800 Placed on File
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NEW BUSINESS

45.	Public Occ	Public Occupancy Permit, MOM's 5k for Cancer Road Race, Summer St. to Highland Ave., May 10, 10AM.	186801 Licenses & Permits
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46.	Sign	New Sign/Awning Permit, Connection Bee Inc., 85 Broadway, Sign.	186802 Approved
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47.	Sign	New Sign/Awning Permit, Real Transfer Inc., 1156 Broadway, Sign.	186803 Licenses & Permits
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48.	Used Car	Renewal of Used Car Dealers License Class II, CM Auto Sales Inc., 30 Joy St., 40 autos.	186804 Licenses & Permits
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49.	Used Car	Renewal of Used Car Dealers License Class II, Auto Broker Company, 182 Washington St., 26 autos.	186805 Licenses & Permits
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50.	Used Car	Renewal of Used Car Dealers License Class II, Ideal Engine Rebuilders Inc., 49 Day St., 8 autos.	186806 Licenses & Permits
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51.	Used Car	Renewal of Used Car Dealers License Class II, Top Cars of Boston LLC dba Inman Motor Sales of Somerville, 39 Webster Ave., 30 autos outside.	186807 Licenses & Permits
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52.	Used Car	Renewal of Used Car Dealers License Class II, Pat's Auto Body Inc., 182 Washington St., 27 autos.	186808 Licenses & Permits
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53.	Used Car	Renewal of Used Car Dealers License Class II, Pat's Auto Body, Inc. 161 Linwood St., 27 autos.	186809 Licenses & Permits
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54.	Used Car	Renewal of Used Car Dealers License Class II, Pat's Auto Body Inc., 308 McGrath Hwy., 12 autos.	186810 Licenses & Permits
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LATE ITEMS

55.	Citation	By Ald. Roche, Sullivan and the Entire Board, Extending condolences to the family of Katherine Romanowski.	186811 Approved
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56.	Order	By Ald. Gewirtz, That the Director of SPCD provide this Board a comparison HUD grant funding in FY09 and FY10.	186812 Approved
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57.	Order	By Ald. Trane and Gewirtz, That the Chief of Police and Director of Traffic and Parking enforce parking regulations on both sides of Holland St. at the MBTA entrance.	186813 Approved
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58. Order By Ald. Heuston, That the Commissioner of Public Works and the Director of Traffic and Parking limit the time allowed for utilities to occupy public ways to perform work. 186814
Approved, Copy to
Public Utilities &
Works and Traffic &
Parking
59. Order By Ald. Heuston, That the Commissioner of Public Works and the Director of Traffic and Parking clarify the rules for utilities posting signs on public property, and confiscate all signage that is not in compliance. 186815
Approved, Copy to
Public Utilities &
Works and Traffic &
Parking

Submitted by John J. Long, City Clerk