

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

**MINUTES OF THE REGULAR MEETING**

January 25, 2007, 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 Robert C. Trane, Vice President Dennis M. Sullivan, Aldermen Bruce M. Desmond, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Walter F. Pero, Sean T. O'Donovan, Rebekah L. Gewirtz.

**OPENING OF THE MEETING**

- |    |                  |   |                          |
|----|------------------|---|--------------------------|
| 1. | Roll Call        | Call of the Roll.   | 182571<br>Placed on File |
| 2. | Minutes Approval | Approval of the minutes of the two Special Meetings of December 11, 2006, and the Regular Meeting of December 14, 2006. | 182572<br>Approved       |

**CITATIONS**

- |    |          |  |                    |
|----|----------|--|--------------------|
| 3. | Citation | By Ald. Pero, Heuston and the Entire Board, Commending James Roderick, an employee in the DPW, who has served our nation with valor in Iraq.                           | 182573<br>Approved |
| 4. | Citation | By Ald. Taylor and the Entire Board, Commending Patrick Sullivan on earning his Eagle Scout Badge, the highest award that can be earned by a member of the Boy Scouts. | 182574<br>Approved |

**PUBLIC HEARINGS**

- |    |                   |   |  |
|----|-------------------|---|--|
| 5. | Grant of Location | GEI Consultants Inc. for a grant of location to install monitoring wells as needed in the public streets and sidewalks in the Tufts St. area as shown on their site plan dated January, 2007. | 182575<br>Approved w/condition:<br>That GEI monitor air quality of at least one home on Alston St. |
|----|-------------------|---|--|

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

- |     |            |  |  |
|-----|------------|--|--|
| 6.  | Order      | By Ald. Pero, That the Director of Traffic and Parking review the traffic and parking impacts of the new housing development on Temple St., near St. Polycarp's, and make recommendations for remediation.                       | 182576<br>Approved                                     |
| 7.  | Order      | By Ald. Pero, That a representative from NStar, and the Commissioner of Public Works, appear at the next meeting of the Committee on Public Utilities & Works, to improve their responsiveness to reported street light outages. | 182577<br>Approved<br>Copy to Public Utilities & Works |
| 8.  | Order      | By Ald. Pero, That the Winter Hill Community School playground be added to the list of snow emergency neighborhood parking in Ward 4.  | 182578<br>Approved                                     |
| 9.  | Order      | By Ald. Pero, That Commissioner of Public Works add Stimpson Sq., at Broadway and Fellsway West, to the scheduled cleaning program in Ward 4.  | 182579<br>Approved                                     |
| 10. | Order      | By Ald. Pero, That the Director of SPCD form a neighborhood advisory group to prepare plans for the renovation of Grimmons Park in Ten Hills.  | 182580<br>Approved                                     |
| 11. | Order      | By Ald. Heuston, That the Commissioner of Public Works ensure that trash receptacles are provided for all city buildings in order to comply with the new trash ordinance.  | 182581<br>Approved                                     |
| 12. | Order      | By Ald. Heuston, That the Commissioner of Public Works work with the Ward 2 Alderman to locate benches and trash receptacles on Washington and Beacon Sts.   | 182582<br>Approved                                     |
| 13. | Order      | By Ald. Heuston, That the Chief of Police order a directed patrol to the intersection of Beacon and Washington Sts. during rush hours for vehicles running the red light.  | 182583<br>Approved                                     |
| 14. | Order      | By Ald. Heuston, That the Commissioner of Public Works review the corner of Washington and Beacon Sts. for the need for a catch basin, as water continually gathers there.   | 182584<br>Approved                                     |
| 15. | Order      | By Ald. Taylor and Heuston, That the Chief of Police order increased patrols in Union Sq. between 5PM and 6AM.   | 182585<br>Approved                                     |
| 16. | Order      | By Ald. Taylor, That the Commissioner of Public Works make arrangements to install a bench at 40 Bow St.   | 182586<br>Approved                                     |
| 17. | Resolution | By Ald. Taylor, That the Dedication Committee approve a bench or tree on the traffic island at 1 Summer St. in memory of Mario Borges.   | 182587<br>Approved                                     |
| 18. | Order      | By Ald. Sullivan and Trane, That the Chief of Police implement a confidential hotline where citizens can report criminal activities without fear of retribution.   | 182588<br>Approved, Copy to<br>Public Health & Safety  |

- |     |           |  |   |
|-----|-----------|--|---|
| 19. | Order     | By Ald. Sullivan and Trane, That the Commissioner of Public Works direct the city's trash contractor to use care when replacing emptied barrels, and take steps to make the contractor responsible when they damage barrels.   | 182589<br>Approved  |
| 20. | Order     | By Ald. Trane and Sullivan, That the Chief of Police assist residents that have been possible victims of credit card fraud due to the recent computer intrusion at TJ Maxx, and inform them what to do to prevent identity theft.  | 182590<br>Approved  |
| 21. | Order     | By Ald. Trane, That the Director of Traffic and Parking replace the missing street sign on Bailey St. at West Adams St., and repair or replace the damaged signs at West Adams and Conwell, Sunset and Curtis, and Howard and Thorndike Sts.   | 182591<br>Approved  |
| 22. | Order     | By Ald. Trane, That the Commissioner of Public Works explain to the Ward 7 Alderman why the trees at Broadway at Alewife Brook Pkwy. have not been replaced, and discuss with the Ward 7 Alderman sponsors for added flowers in this area, as in other key entry ways to the city.   | 182592<br>Approved  |
| 23. | Order     | By Ald. Gewirtz, That the Director of SPCD follow up on problems at Ciampa Manor, including rodents, inspection of the elevator, and any unsafe or unsanitary conditions.  | 182593<br>Approved  |
| 24. | Order     | By Ald. White, That a representative of the Assessor's Office appear before the Finance Committee to discuss the taxation of billboards.   | 182594<br>Approved<br>Copy to Finance                             |
| 25. | Order     | By Ald. White, That the Director of Finance and the Chief Assessor appear before the Finance Committee to discuss the steps taken to balance the budget after DOR ruled that the City could not use proceeds from the sale of 0 New Washington St. and its likely impact on the remainder of the fiscal year, including the overlay account. | 182595<br>Approved<br>Copy to Finance                             |
| 26. | Order     | By Ald. White, That representatives of Somerville Cares About Prevention appear before the Committee on Public Health & Safety to discuss its programs and any assistance the Board could provide to reduce drug and alcohol dependency among youth.   | 182596<br>Approved<br>Copy to Public Health<br>& Safety and Youth |
| 27. | Ordinance | By Ald. O'Donovan, proposing an amendment to the Zoning Ordinances to create a PUD-B1 zone, and re-zone the KSS MaxPak site as PUD-B1.   | 182597<br>Land Use and<br>Planning Board                          |

**UNFINISHED BUSINESS**

None

**REPORTS OF COMMITTEES**

28.	Committee Report	Report of the Committee on Capital Planning, January 23. No papers.	182598 Approved Ald. Gewirtz opposed
29.	Committee Report	Report of the Committee on Land Use, January 23.	182599 Approved
29A.	Ordinance	By Ald. White, Proposing an amendment to Section 16.5 of the Zoning Ordinance specifying that the Planning Board may not waive the requirement for mixed use in a PUD-B.	180984 Placed on File
29B.	Ordinance	By Ald. White, Provost and Gewirtz, Proposing an amendment to the Zoning Ordinance relative to Assembly Sq.	180985 Placed on File
29C.	Ordinance	By Ald. Roche, Proposing new zoning for Assembly Square.	181227 Placed on File
29D.	Ordinance	By Ald. Roche, Submitting new Assembly Sq. Smart Growth Overlay District zoning, as attached.	181319 Placed on File
29E.	Comm.	David Dahlbacka re: Amendments to Assembly Sq. Mixed-Use Zoning.	181508 Placed on File
29F.	Officer Comm.	Planning Board responding to #181227 re: Proposed amendments to the Zoning Ordinance to make changes to the Assembly Sq. mixed-use district.	181592 Placed on File
29G.	Officer Comm.	Planning Board responding to #180985 and #181319 re: Proposed amendments to Zoning Ordinance fro Assembly Sq.	181593 Placed on File
29H.	Ordinance	By Ald. Taylor, Proposing an amendment to the Zoning Ordinance to increase side yard setbacks in RA and RB Districts.	181885 Approved as Amended: Setbacks apply to RA Zoning Districts only, Enrolled and Ordained
30.	Committee Report	Report of the Committee on Legislative Matters, January 23.	182600 Approved
30A.	Officer Comm.	Election Commissioner submitting possible Special Election calendars for the Alderman At Large vacancy.	182418 Approved as Amended: Option 2C chosen but final election on 5/15
30B.	Mayor's Request	Requesting approval of Home Rule Petition to establish a Project Mitigation Contribution (Linkage) Program for Open Space and Historic Preservation.	182513 Approved

30C.	Mayor's Request	Requesting approval of Home Rule Petition to establish a Municipal Open Space and Historic Preservation Trust Fund.	182514 Approved
30D.	Mayor's Request	Requesting approval of Home Rule Petition granting legal authority to the Retirement Board to purchase and/or lease real property.	182515 Approved
30E.	Mayor's Request	Requesting approval of Home Rule Petition to amend Sections 40C and 40D of the City Charter regarding Divisions in the Dept. of Public Works.	182516 Approved
30F.	Mayor's Request	Requesting approval of Home Rule Petition to amend Section 21 of the City Charter to include the 311 Director and Water Dept. Operations Manager.	182519 Approved
31.	Committee Report	Report of the Committee on Licenses & Permits, January 24.	182601 Approved
31A.	Garage	New Garage License, Gene Automotive Repair, 56 Joy St., 10 Autos.	182339 Approved as Amended: Approved for Repairs and Parking
31B.	Used Car	New Used Car Dealers License Class II, Antonio Rodrigues dba Anthony's Auto Sales, 52 Medford St. No Autos.	182524 Approved
31C.	Used Car	Renewal of Used Car Dealer License Class II, Frank and Eds Inc., 483 Somerville Ave., 14 Autos.	182525 Approved
31D.	Used Car	Renewal of Used Car Dealer License Class II, Gemicar, Inc., dba Tech. Auto Body, 9 Union Sq., 2 Autos.	182526 Approved
31E.	Used Car	Renewal of Used Car Dealer License Class II, Inman Capital Cars Inc., dba Inman Motor Sales, 121 Prospect St., 46 Autos.	182527 Approved
31F.	Used Car	Renewal of Used Car Dealer License Class II, Ferry St. Motors Inc., dba American Auto Gallery, 682 Mystic Ave., 20 Autos outside and 2 Autos inside.	182528 Approved, Same hours as 2006
31G.	Used Car	Renewal of Used Car Dealer License Class II, A+ Autobody Inc., 297 Medford St. 2 Autos.	182529 Approved
31H.	Used Car	Renewal of Used Car Dealer License Class II, Cambridge Auto Sales, 75 Park St. 23 Autos, M-F 8-8 and Sat 8-5.	182531 Approved
31I.	Used Car	Renewal of Used Car Dealer License Class II, Star Auto Sales Inc., 30 Autos.	182533 Approved

31J.	Used Car	Renewal of Used Car Dealer License Class III, T.C. Auto Exchange, 176-178 Tremont St.	182534 Approved
31K.	Amusemnt	Renewal of Automatic Amusement Device License, Northeast Motel Assoc. dba Holiday Inn, 30 Washington St., 1 device.	182539 Approved
32.	Committee Report	Report of the Committee on Finance, January 24.	182602 Approved
32A.	Mayor's Request	Requesting approval to transfer \$14,687 from Contingency Acct. Sick Leave Buyback to the Auditing Dept. to fund sick leave buyback for a retiring employee.	182501 Approved
32B.	Mayor's Request	Requesting approval to pay \$6,467.95 in prior year invoices in the IT Dept.	182502 Approved
32C.	Mayor's Request	Requesting approval to pay \$981.45 in prior year invoices in the Dept. of Public Works.	182503 Approved
32D.	Mayor's Request	Requesting approval to pay \$450 in prior year invoices in the Police Dept.	182504 Approved
32E.	Mayor's Request	Requesting approval to expend a grant of \$25,000 from the National Park Service to SPCD, to fund community service projects.	182505 Approved
32F.	Mayor's Request	Requesting approval to expend a grant of \$14,207 from the MA Dept. of Public Health to the Health Dept. for the school nursing program.	182506 Approved
32G.	Mayor's Request	Requesting approval to expend a grant of \$2,675.46 by the MA Dept. of Environmental Protection to the Office of Environment and Sustainability for recycling materials.	182507 Approved
32H.	Mayor's Request	Requesting approval of the Board for a Library application for state grants for the planning/design of a central library.	182508 Approved
32I.	Officer's Comm.	City Treasurer/Tax Collector submitting Treasury/Tax Collector Public Official Bonds.	182520 Approved
33.	Committee Report	Report of the Committee on Environment & Energy, January 25. No papers.	182603 Approved

**COMMUNICATIONS OF THE MAYOR**

34.	Mayor's Request	Requesting that this Board convene in Executive Session to discuss a matter of pending litigation.	182604 Approved, 4 votes in Executive Session
-----	-----------------	--	--

35.	Mayor's Request	Requesting approval of SPCD's proposed 1-Year Action Plan for the Federal HUD CDBG, HOME, and ESG programs, totaling \$4,791,462.	182605 Finance and Housing & Comm. Development
36.	Mayor's Request	Requesting approval of a \$2,300,000 appropriation for the construction of the Trum Fieldhouse, and authorization to borrow \$2,300,000 with a bond.	182606 Approved Ald. Gewirtz opposed
37.	Mayor's Request	Requesting approval of a \$400,000 appropriation for Building Improvements to the High School to remediate the fuel oil release from two underground storage tanks, and authorization to borrow \$400,000 with a bond.	182607 Finance
38.	Mayor's Request	Requesting approval of an appropriation of \$1,000,000 from Receipts Reserved for Appropriation to establish a new Stabilization Fund for the design/construction of parks and playgrounds, or other municipal purposes.	182608 Approved
39.	Mayor's Request	Requesting approval of a \$30,000 transfer from the Law Legal Services Acct. to the City Damage to Persons Acct. to fund resolution of a legal matter.	182609 Approved
40.	Mayor's Request	Requesting approval of a \$25,000 transfer from the Library Salaries Acct. to the Capital Project Mgmt., Capital Items, Building Improvements Acct. to finish replacing lintels at the Fire Dept., 266 Broadway.	182610 Finance
41.	Mayor's Request	Requesting approval to expend a \$14,000 grant from the MA Office of Public Safety for the Police Dept. "Click It or Ticket" and "You Drink & Drive, You Lose" campaigns.	182611 Finance
42.	Mayor's Request	Requesting approval to extend a contract with Design Partnership of Cambridge Inc. to June 30, 2008, for architectural services in connection with the Trum Fieldhouse project.	182612 Approved
43.	Mayor's Request	Requesting the appointment of Ellen Digby as Constable.	182613 Conf. of Appointments
44.	Mayor's Request	Requesting the re-appointment of Joseph Collette as Constable.	182614 Approved
45.	Mayor's Request	Requesting the re-appointment of Gerard O'Donnell Jodrey as Constable.	182615 Approved
46.	Mayor's Request	Requesting the re-appointment of Sergio Lemos as Constable.	182616 Approved
47.	Mayor's Request	Requesting the re-appointment of Veronica Mason as Constable.	182617 Approved

- |     |                 |  |                    |
|-----|-----------------|--|--------------------|
| 48. | Mayor's Request | Requesting the re-appointment of Michael Browne as Constable.    | 182618<br>Approved |
| 49. | Mayor's Request | Requesting the re-appointment of Timothy McGonigal as Constable. | 182619<br>Approved |
| 50. | Mayor's Request | Requesting the re-appointment of Darcy Haynes as Constable.      | 182620<br>Approved |

**COMMUNICATIONS OF CITY OFFICERS**

- |     |                 |  |                              |
|-----|-----------------|--|------------------------------|
| 51. | Officer Request | City Clerk requesting that this Board convene in Executive Session to consider the release of certain Executive Session Minutes. | 182621<br>Approved (see #34) |
| 52. | Officer Comm.   | Planning Board re: proposed amendments establishing a PUD-C Zoning Overlay District and a Union Sq. Arts Overlay District.       | 182622<br>Land Use           |
| 53. | Officer Comm.   | Director of SPCD responding to various board orders.   | 182623<br>Placed on File     |
| 54. | Officer Comm.   | Chief of Police responding to #182494.   | 182624<br>Placed on File     |

**NEW BUSINESS**

- |     |            |  |                              |
|-----|------------|--|------------------------------|
| 55. | Public Occ | Public Occupancy Permit, On the Hill Tavern Road Race, Trum Field to Highland Ave. and back, June 16, 11:30AM. | 182625<br>Approved           |
| 56. | Garage     | New Garage License, TC Auto Exchange, 176-178 Tremont St., 2 Autos inside, 12 outside.                         | 182626<br>Licenses & Permits |
| 57. | Garage     | New Garage License, Mass Auto Repair, 631 Somerville Ave., 14 Autos.   | 182627<br>Licenses & Permits |
| 58. | Used Car   | New Used Car Dealer License Class II, Mass Auto Sales, 631 Somerville Ave., 14 Autos.                          | 182628<br>Licenses & Permits |
| 59. | Used Car   | New Used Car Dealer License Class II, USA Automall, 620 Broadway, 9-9 M-Sa, 9-5 Su, 6 Autos.                   | 182629<br>Licenses & Permits |
| 60. | Used Car   | New Used Car Dealer License Class II, Broadway Brake Corp., 45 Broadway, 3 Autos inside, 27 outside.           | 182630<br>Licenses & Permits |
| 61. | Used Car   | New Used Car Dealer License Class II, County Auto Repair Inc., 103 Washington St., 5 Autos.                    | 182631<br>Licenses & Permits |
| 62. | Used Car   | Renewal of Used Car Dealer license Class II, Somerville Auto Transport Service, 495 Columbia St., 12 Autos.    | 182632<br>Licenses & Permits |

63.	Used Car	Renewal of Used Car Dealer License Class II, Isaac's Auto Sales, 486 Columbia St., 6 Autos.	182633 Licenses & Permits
64.	Used Car	Renewal of Used Car Dealer License Class II, Boston Best Car Auto Sales Inc., 266 Beacon St., 18 Autos.	182634 Licenses & Permits
65.	Sign	Sign/Awning Permit, City Slicker Café, 588 Somerville Ave., Sign and awning.	182635 Licenses & Permits
66.	Comm.	MA Motorcycle Assoc., requesting municipal participation in the State's Motorcycle Safety and Awareness Period, from late March thru April.	182636 Licenses & Permits
<b><u>LATE ITEMS</u></b>			
67.	Mayor's Request	Requesting approval to transfer \$9,000 in the Information Technology Dept. from PS Acct. to Prof. & Tech. Services Acct., to cover the absence of a Network Administrator.	182637 Approved
68.	Mayor's Request	Requesting approval to abandon Butler Dr. in connection with the St. Polycarp Affordable Housing Project.	182638 Finance
69.	Sign	Sign/Awning Permit, Somerville Communications, 97 Broadway, Sign and awning.	182639 Licenses & Permits
70.	Used Car	Renewal of Used Car Dealer License Class II, John's Auto Sales Inc., 181 Somerville Ave., 38 Autos, M-R 9-8, F-Sat 9-6, Sun 10-4.	182335 Discharged from Licenses & Permits, Approved
71.	Used Car	Renewal of Used Car Dealer License Class II, Leins Auto Repair Inc., 65½ Bow St., 17 Autos.	182532 Discharged from Licenses & Permits, Approved
72.	Order	Submitted by Ald. White and Desmond, That a Planning Dept. representative appear at the Joint Land Use and Planning Board Public Hearing on the KSS MaxPak site, to discuss the developer's rights to develop the site.	182640 Approved

**Submitted by John J. Long, City Clerk**