

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

MINUTES OF THE REGULAR MEETING

February 12, 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, Sean T. O'Donovan, Rebekah L. Gewirtz, Robert C. Trane

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. | 186816
Placed on File |
| 2. | Minutes | Approval of the minutes of the Organizational Meeting of January 5, 2009, and the Regular Meeting of January 8, 2009. | 186817
Approved |

CITATIONS

None

PUBLIC HEARINGS

None

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

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| 3. | Order | By Ald. Trane and Gewirtz, That the Director of Information Technology install a Wi-Fi network at the West Branch and East Branch Libraries to provide free internet access to the public. | 186818
Approved |
| 4. | Order | By Ald. Roche, That the Director of Traffic and Parking, with the Traffic Engineer, submit an engineering study to the MA Highway Dept., asking that trucks be excluded from entering Myrtle St. | 186819
Approved, Copy to
Traffic & Parking |

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| 5. | Order | By Ald. Roche, That the Commissioner of Public Works reinstall the bench at the bus stop on Broadway at Glen St. | 186820
Approved |
| 6. | Order | By Ald. Roche, That the Chief of Police, the Director of Health and the Director of SPCD provide the City Solicitor with reports on all complaints, site visits and findings relative to Khoury's State Spa on Broadway, so he may present it to the Licensing Commission for action. | 186821
Approved |
| 7. | Resolution | By Ald. Roche, That this Board authorizes the Superintendent of Schools to submit a Statement of Interest for the East Somerville Community School to the MA School Building Authority. | 186822
Approved |
| 8. | Order | By Ald. Roche and Gewirtz, That the City Solicitor draft an ordinance to ban wild animals from being displayed in circuses, joining Revere, Quincy, Braintree, Weymouth and Provincetown in eliminating the abuse of elephants, tigers and other wild animals. | 186823
Approved |
| 9. | Order | By Ald. Pero, That the City Solicitor report to this Board the feasibility of changing the ordinance to allow restaurants that have approved events on public ways to serve alcohol along with food, under guidelines approved by the Licensing Commission. | 186824
Approved |
| 10. | Resolution | By Ald. Connolly, Pero, Heuston, Desmond and Trane, That this Board requests that the Licensing Commission immediately investigate the 2/8/09 early morning Davis Sq. shooting, carjacking and assault and take actions necessary. | 186825
Approved, Copy to
Public Health & Safety |
| 11. | Order | By Ald. Connolly, Pero, Gewirtz, Heuston and Desmond, That the Police Chief investigate the 2/8/09 early morning Davis Sq. shooting, carjacking and assault and report back to this Board's Committee on Public Health and Safety. | 186826
Approved, Copy to
Public Health & Safety |
| 12. | Order | By Ald. Heuston, That the Director of Traffic and Parking work with the Ward 2 Alderman on a community meeting to discuss the location of crosswalks on upper Beacon St. | 186827
Approved |
| 13. | Order | By Ald. Heuston, That the Director of SPCD update the Ward 2 and Ward 6 Aldermen on the development projects at 515 Somerville Ave. and 343 Summer St., including the expiration dates of the related Zoning Board decisions. | 186828
Approved |
| 14. | Order | By Ald. Heuston, That the Chief of Police, the Commissioner of Public Works and the Director of SPCD take all necessary actions, including directed patrols during evening and weekend hours, to ensure that there is no off leash dog activity in Lincoln Park. | 186829
Approved |

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| 15. | Order | By Ald. Heuston, That the Commissioner of Public Works improve the signage at Lincoln Park, prohibiting off leash dog activity and publicizing the new fines for the offense. | 186830
Approved |
| 16. | Order | By Ald. O'Donovan, That the Commissioner of Public Works place safety railings on the ramps at the Sloane Field House in preparation of the warm weather. | 186831
Approved |
| 17. | Order | By Ald. O'Donovan, That the Commissioner of Public Works personally view and then order NStar to replace the street light at the corner of Alpine and Lowell Sts. | 186832
Approved, Copy to
Public Utilities &
Works |
| 18. | Order | By Ald. O'Donovan, That the City Solicitor forward his response to the Ward 5 Alderman's request for an opinion on moving voters from one precinct to another. | 186833
Approved |
| 19. | Order | By Ald. O'Donovan, That the Commissioner of Public Works explain why a tree sits in the middle of Cutter Place and why it is not removed to allow motor vehicles to pass. | 186834
Approved |
| 20. | Order | By Ald. O'Donovan, That the Director of SPCD inform this Board of the progress of the extension of the Community Path project from Cedar St. east. | 186835
Approved |
| 21. | Order | By Ald. O'Donovan, That the Director of SPCD inspect all houses on Wilton St. for code violations, especially unsafe conditions such as extension cords extending from one home to another. | 186836
Approved |
| 22. | Order | By Ald. O'Donovan and Gewirtz, That the Director of SPCD inform the Ward 5 and Ward 6 Aldermen of the progress of the garden at Highland Rd. and the bike path. | 186837
Approved |
| 23. | Resolution | By Ald. Sullivan and Roche, That this Board requests that the Administration develop short range and long range plans to resurface Washington St. | 186838
Approved |
| 24. | Resolution | By Ald. Sullivan and Trane, That this Board urges all residents to vote for one of the three Somerville sites being considered for the new Massachusetts state quarter. | 186839
Approved |
| 25. | Order | By Ald. White, That the Chief of Police appear before the Committee on Public Health and Safety to discuss crime statistics for 2008, compared with prior years. | 186840
Approved, Copy to
Public Health & Safety |
| 26. | Order | By Ald. White and O'Donovan, That the Director of SPCD update the Committee on Public Health and Safety on the property at the corner of Trull and Medford Sts. | 186841
Approved, Copy to
Public Health & Safety |

27.	Order	By Ald. White and Pero, That the Commissioner of Public Works examine the resurfaced trench area on Evergreen Ave. between Sycamore and Thurston Sts., and determine whether the utility can be required to resurface the street.	186842 Approved, Copy to Public Utilities & Works
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UNFINISHED BUSINESS

28.	Extended Hours	Amendment of Extended Hours License, Golden Light Restaurant, 24 College Ave., Su-Th to 1:30AM, Fr-Sa to 2AM. (Laid on Table via Sec. 15).	186642 Removed from Table, Approved as Amended: Su-Th to 1AM, Fr-Sa to 2 AM, for 60 days only
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REPORTS OF COMMITTEES

29.	Committee Report	Report of the Committee on Public Health & Safety, Jan. 29.	186843 Approved
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29A.	Resolution	By Ald. Connolly, That all Board members, especially Ward Aldermen, consider forwarding a list of all problem locations, with a brief explanation, to Ald. Connolly's attention within the next month, so Board Orders or Resolutions with all Aldermen at Large signed on along with the Ward Alderman, can deal directly with the appropriate city department or local authority, to focus attention and facilitate solutions expeditiously.	185357 Placed on File
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29B.	Officer's Comm.	Traffic Engineer responding to motions put forward at the Oct. 30 Public Health & Public Safety Committee meeting.	186514 Placed on File
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30.	Committee Report	Report of the Committee on Licenses & Permits, Feb. 4. No papers.	186844 Approved
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31.	Committee Report	Report of the Committee on Public Utilities & Works, Feb. 9. No papers.	186845 Approved
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32.	Committee Report	Report of the Committee on Finance and Housing & Community Development, Feb. 10.	186846 Approved
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32A.	Mayor's Request	Requesting approval to expend a grant of \$4,936,281 from US Dept. of HUD's CDBG, HOME and ESG programs as described in the proposed HUD 2009-2010 Action Plan.	186714 Approved as Amended: See Item
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33.	Committee Report	Report of the Committee on Housing & Community Development, Feb. 10. No papers.	186847 Approved
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34.	Committee Report	Report of the Committee on Public Health & Safety, Feb. 10. No papers.	186848 Approved
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35.	Committee Report	Report of the Committee on Licenses & Permits, Feb. 11.	186849 Approved
35A.	Garage	Renewal of Garage License, Aris Auto Inc., 3 Craigie St., 3 autos inside, 8 outside.	186304 Approved
35B.	Public Occ	Public Occupancy Permit, MOM's 5k for Cancer Road Race, Summer St. to Highland Ave., May 10, 10AM.	186801 Approved
35C.	Used Car	Renewal of Used Car Dealers License Class II, CM Auto Sales Inc., 30 Joy St., 40 autos.	186804 Approved
35D.	Used Car	Renewal of Used Car Dealers License Class II, Auto Broker Company, 182 Washington St., 26 autos.	186805 Approved
35E.	Used Car	Renewal of Used Car Dealers License Class II, Ideal Engine Rebuilders Inc., 49 Day St., 8 autos.	186806 Approved
35F.	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 Approved
35G.	Used Car	Renewal of Used Car Dealers License Class II, Pat's Auto Body Inc., 182 Washington St., 27 autos.	186808 Approved
35H.	Used Car	Renewal of Used Car Dealers License Class II, Pat's Auto Body, Inc. 161 Linwood St., 15 autos.	186809 Approved
35I.	Used Car	Renewal of Used Car Dealers License Class II, Pat's Auto Body Inc., 308 McGrath Hwy., 12 autos.	186810 Approved
36.	Committee Report	Report of the Committee on Youth Services, Feb. 12. No papers.	186850 Approved

COMMUNICATIONS OF THE MAYOR

37.	Mayor's Request	Requesting approval of an amendment to the Transfer Station Agreement with Waste Management of MA, to modify the option terms of the agreement.	186851 Finance
38.	Mayor's Request	Requesting approval to appropriate \$260,574 from the Sewer Enterprise Fund Balance Surplus Account to the DPW's Land Improvements Account, for soil mitigation at Joesephine and Pearson Aves.	186852 Finance
39.	Mayor's Request	Requesting approval to appropriate \$75,000 from the Water Enterprise Fund Balance Surplus Account to the DPW's Water Reconstruction and Repair Account, for Somerville Ave. water works improvements.	186853 Finance

40.	Mayor's Request	Requesting acceptance of a mitigation payment of \$59,500 from Federal Realty Investment Trust, and its appropriation to a new Stabilization Fund to be known as the "Assembly Sq. Fire Box Fund," to install a wireless fire-box security system in Assembly Sq.	186854 Approved
41.	Mayor's Request	Requesting approval to appropriate \$59,500 from the "Assembly Sq. Fire Box Fund," to install a wireless fire-box security system in Assembly Sq.	186855 Approved
42.	Mayor's Request	Requesting approval to pay a prior year invoice of \$4,133.16 in the School Dept. for out-of-district tuition.	186856 Finance
43.	Mayor's Request	Requesting acceptance of a donation of 19 Dell computers from the Concord Academy, valued at \$9,500, for use in the Police Dept.	186857 Finance and Information Technology
44.	Mayor's Request	Requesting the re-appointment of Paula Machado to the Board of Health.	186858 Conf. of Appointments
45.	Mayor's Request	Requesting the re-appointment of Babette Mello to the Board of Health.	186859 Conf. of Appointments
46.	Mayor's Request	Requesting the re-appointment of Sergio Lemos as Constable.	186860 Approved
47.	Mayor's Request	Requesting the re-appointment of Jay Weaver as Constable.	186861 Approved

COMMUNICATIONS OF CITY OFFICERS

48.	Officer's Request	City Clerk submitting his Public Official's Bond for approval.	186862 Approved
49.	Officer's Comm.	Asst. City Solicitor submitting proposed revisions to Ord. 8-7, Operating Hours of Retail and Service Establishments.	186863 Legislative Matters

NEW BUSINESS

50.	Extended Hours	New Extended Hours License, Red House Restaurant, 24 Union Sq., Su-Th to 1:30AM, Fr-Sa to 2AM.	186864 Licenses & Permits
51.	Garage	New Garage License, Simon's Auto Service, 166 Boston Ave., 2 autos inside, 2 outside.	186865 Licenses & Permits
52.	Outdoor Parking	New Outdoor Parking License, Simon's Auto Service, 166 Boston Ave., 2 zip cars.	186866 Licenses & Permits
53.	Used Car	Renewal of Used Car Dealers License Class II, Frank and Ed's Inc., 483 Somerville Ave., 6 autos inside, 8 outside.	186867 Licenses & Permits

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| 54. | Used Car | Renewal of Used Car Dealers License Class II, Automotive Transport Service, 495 Columbia St., 12 autos. | 186868
Licenses & Permits |
| 55. | Used Car | Renewal of Used Car Dealers License Class II, Isaac's Auto Sales, 486 Columbia St., 6 autos. | 186869
Licenses & Permits |
| 56. | Open Air | Renewal of Open Air Vendor License, J & P Flowers, 18 Benton Rd., to sell flowers on Valentine's weekend, Mother's Day weekend, Easter weekend and Thanksgiving. | 186870
Approved |
| 57. | Comm. | Fred Berman re: Proposed Union Sq. zoning. | 186871
Placed on File |
| 58. | Comm. | Chamber of Commerce re: Proposed Union Sq. zoning. | 186872
Placed on File |
| 59. | Comm. | James Kostaras re: Proposed Union Sq. zoning. | 186873
Placed on File |
| 60. | Comm. | Somerville Local First re: Proposed Union Sq. zoning. | 186874
Placed on File |
| 61. | Comm. | Cheri Rolfes re: Proposed Condominium Conversion ordinance. | 186875
Placed on File |
| 62. | Comm. | Lynnette Doolin re: Snow removal procedures. | 186876
Placed on File |

LATE ITEMS

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| 63. | Mayor's Request | Requesting approval of an ordinance to permit the collection of late fees for overdue payments of municipal charges. | 186877
Legislative Matters and Finance |
| 64. | Mayor's Request | Requesting the repeal of Ordinance 5-95, which improperly exempts churches and hospitals from the Connection of Private Fire Alarm Systems to City Fire Alarm Systems Ordinance. | 186878
Legislative Matters |
| 65. | Officer's Comm. | SPCD Director responding to various Board orders. | 186879
Placed on File |

Submitted by John J. Long, City Clerk