

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

MINUTES OF THE REGULAR MEETING

March 26, 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, 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. | 187000
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of February 26, 2009. | 187001
Approved |

CITATIONS

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| 3. | Citation | By Ald. Sullivan and the Entire Board, Commending Paul Romeo who is retiring after 35 years of volunteer service as Captain in the Somerville Auxiliary Fire Unit. | 187002
Laid on Table |
| 4. | Citation | By Ald. O'Donovan and the Entire Board, Congratulating Ludwine Fisher on the auspicious occasion of her 100 th birthday. | 187003
Approved |

PUBLIC HEARINGS

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| 5. | Grant of Location | NStar Electric for a grant of location to install 254 feet of conduit at 56 Webster Ave. | 187004
Licenses & Permits;
Ald. Roche Recused |
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**ORDERS, ORDINANCES, RESOLUTIONS
AND MOTIONS OF MEMBERS**

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| 6. | Order | By Ald. Trane and Gewirtz, That the Chief of Police meet with the Ward 6 and Ward 7 Aldermen to review policies to combat the increase in house break-ins in West Somerville. | 187005
Approved |
| 7. | Order | By Ald. Roche, That the Director of Traffic and Parking conduct a traffic analysis of Myrtle St. from Washington St. to identify traffic patterns that would alleviate the traffic. | 187006
Approved |
| 8. | Order | By Ald. Roche, That the Director of Traffic and Parking update the Ward 1 Alderman on the Myrtle St. truck exclusion study for the state, as requested in January. | 187007
Approved as Amended:
That the Director also update the BOA on the truck route study; Copy to Traffic & Parking |
| 9. | Order | By Ald. Roche, That the Director of SPCD notify all businesses on lower Broadway of the ordinance to keep sidewalks clean, and enforce the ordinance. | 187008
Approved |
| 10. | Resolution | By Ald. Roche, Connolly, Heuston, Pero, Trane, Desmond, O'Donovan and Sullivan, In support of the Police Dept. | 187009
Laid on Table |
| 11. | Resolution | By Ald. Pero, Roche, Gewirtz and the Entire Board, In support of Somerville Local First, launching the 10% Shift campaign in Somerville. | 187010
Approved |
| 12. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration consider implementing Earth Hour more often and consider turning off all non-essential city building lights on weekends to raise awareness about global warming and save energy and money. | 187011
Approved; Copy to Environment & Energy |
| 13. | Resolution | By Ald. Gewirtz, That this Board requests that in the FY10 budget, the Administration increase funding for youth programs, and work with non-profit youth organizations to seek foundation funding for out of school programming. | 187012
Approved; Copy to Youth Services |
| 14. | Order | By Ald. Connolly and O'Donovan, That the Director of Traffic and Parking and the Commissioner of Public Works examine the intersection of Cedar St. and Lexington Ave., and act to prevent vehicle damage to abutting properties, especially at 132 Cedar St. | 187013
Approved |
| 15. | Order | By Ald. Connolly, Desmond and White, That the Director of SPCD review all opportunities to access American Recovery and Reinvestment Act funds, especially for street improvements, and report back to this Board. | 187014
Approved |
| 16. | Order | By Ald. Taylor, That the Director of SPCD inspect 25 Gibbens St. for possible operation as a rooming house. | 187015
Approved |

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| 17. | Order | By Ald. Sullivan and O'Donovan, That the Commissioner of Public Works install a MAGOUN SQUARE sign consistent with other square signs. | 187016
Approved |
| 18. | Order | By Ald. Sullivan, Trane, Roche and White, That the Environmental Engineer appear before the Committee on Environment and Energy to report on curbside recycling. | 187017
Approved |
| 19. | Order | By Ald. Desmond and O'Donovan, That the Chief of Police report to this Board on the gang related incident reported on the front page of the March 19, 2009, Somerville Journal, once the investigation is completed. | 187018
Approved |
| 20. | Order | By Ald. Desmond, Gewirtz and Connolly, That the Commissioner of Public Works repave the road and repair the sidewalk on Fairlee St., and relocate the fire hydrant blocking the front steps of 9 Fairlee St. (2 nd request) | 187019
Approved |
| 21. | Order | By Ald. Desmond, Gewirtz and Connolly, That the Commissioner of Public Works repair the sidewalk at 103 College Ave. | 187020
Approved |
| 22. | Resolution | By Ald. Desmond, O'Donovan and Connolly, That this Board requests that the Cambridge Health Alliance, which will be receiving \$40 million from the President's stimulus plan, immediately stop charging patients with handicapped license plates \$5.00 to park in the handicapped space outside the Somerville Hospital at Tower St. | 187021
Approved as Amended:
That the CHA CEO appear before the BOA to explain this charge |
| 23. | Order | By Ald. O'Donovan, That this Board's Committee on Public Health and Safety convene another meeting to discuss safety concerns and zoning at 31 Wilton St. | 187022
Approved; Copy to
Public Health & Safety |
| 24. | Order | By Ald. O'Donovan, That the Chief of Police place a speed board on Hudson St. between Lowell and Central Sts. | 187023
Approved |
| 25. | Order | By Ald. O'Donovan, That the Commissioner of Public Works place a CHILDREN AT PLAY sign on Hudson St. at Benton Rd. | 187024
Approved |
| 26. | Order | By Ald. O'Donovan, That the Commissioner of Public Works plant new trees at 26-28 Cedar St. | 187025
Approved |
| 27. | Order | By Ald. O'Donovan, That the Commissioner of Public Works replace the tar-patched sidewalk at 26-28 Cedar St. with cement. | 187026
Approved |
| 28. | Order | By Ald. White and Heuston, That the Director of SPCD appear before the Committee on Housing and Community Development to discuss the response to the State's proposal for a Green Line maintenance facility in Yard 8. | 187027
Approved; Copy to
Housing & Community
Development |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

29.	Committee Report	Report of the Committee on Public Health & Safety, March 18. No papers.	187028 Approved
30.	Committee Report	Report of the Committee on Land Use, March 18. No papers.	187029 Approved
31.	Committee Report	Report of the Committee on Land Use, March 25. No papers.	187030 Approved
32.	Committee Report	Report of the Committee on Licenses & Permits, March 25.	187031 Approved
32A.	Used Car	Renewal of Used Car Dealers License Class II, Louis Frank Motorcars, 27 Porter St., No autos.	186675 Approved
32B.	Outdoor Parking	New Outdoor Parking License, Simon's Auto Service, 166 Boston Ave., 2 zip cars.	186866 Approved
32C.	Used Car	Renewal of Used Car Dealers License Class II, Frank and Ed's Inc., 483 Somerville Ave., 6 autos inside, 8 outside.	186867 Approved
32D.	Used Car	Renewal of Used Car Dealers License Class II, Automotive Transport Service, 495 Columbia St., 12 autos.	186868 Approved
32E.	Used Car	Renewal of Used Car Dealers License Class II, Isaac's Auto Sales, 486 Columbia St., 6 autos.	186869 Approved
32F.	Sign	New Sign/Awning Permit, Broadway Mak Realty Trust, 80-82A Broadway, Awning.	186921 Approved
32G.	Outdoor Seating	New Outdoor Seating and Goods License, Prospect Hill Properties Inc. dba The Independent, 75 Union Sq., 15 tables, 58 chairs, bar counter, grill, raw bar, host stand and performance area.	186922 Approved w/Condition: Subject to Fire Dept. approval
32H.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Union Sq. Group dba Precinct, 70 Union Sq., 18 tables, 48 seats.	186923 Approved
32I.	Outdoor Seating	Renewing Outdoor Seating and Goods License, Au Bon Pain, 118 Holland St., 34 tables, 68 chairs.	186929 Approved

32J.	Grant of Location	Algonquin Gas Transmission LLC for a grant of location to install 1.7 miles of 14" gas transmission line, from Mystic Ave. to McGrath Hwy.	186935 Approved
32K.	Outdoor Parking	Renewing Outdoor Parking License, Urban Equity Development Co., 7-9 and 11-13 Herbert St., 20 autos.	186978 Approved
32L.	Outdoor Parking	Renewing Outdoor Parking License, Urban Equity Development Co., 55-59 Day St., 70 autos.	186979 Approved
32M.	Outdoor Parking	Renewing Outdoor Parking License, Nissenbaum Auto Parts Inc., 480 Columbia St., 61 autos.	186980 Approved
32N.	Outdoor Parking	Renewing Outdoor Parking License, Nissenbaum Auto Parts Inc., 480 Columbia St., 15 autos.	186981 Approved
32O.	Outdoor Parking	Renewing Outdoor Parking License, Faulkner Brothers Inc., 2 Alpine St., 4 autos.	186982 Approved
32P.	Garage	Renewing Garage License, James A. Kiley Co., 15 Linwood St., 6 autos inside.	186986 Approved
32Q.	Junk Dealer	Renewing Junk Dealer License, Nissenbaum Auto Parts Inc., 480 Columbia St.	186987 Approved
32R.	Junk Dealer	Renewing Junk Dealer License, Atlas Junk Co., 475 Columbia St.	186988 Approved

COMMUNICATIONS OF THE MAYOR

33.	Mayor's Request	Requesting that this Board convene in Executive Session to receive an update on contract negotiations.	187032 Approved, Ald. Trane Recused; No votes taken in Exec. Session
34.	Mayor's Request	Requesting an extension of the development moratorium for a portion of the Winter Hill area on Broadway, pursuant to Zoning Ordinance 6.1.21.D (Ordinance 2008-15).	187033 Land Use
35.	Mayor's Request	Requesting authorization to execute a Notice of Activity and Use Limitation related to 112A Central St. (the Park at Somerville Junction), in order to avoid future issues related to soil handling.	187034 Finance
36.	Mayor's Request	Requesting a reduction in FY09 appropriations of \$2,935,217, which is needed to balance the municipal budget following a reduction in state aid of \$2,935,217.	187035 Finance
37.	Mayor's Request	Requesting approval to declare surplus 9 vehicles no longer useful to the Police Dept.	187036 Finance

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| 38. | Mayor's Request | Requesting an extension of the contract with Affiliated Computer Services (ACS), for parking ticket processing, until June 29, 2009. | 187037
Approved |
| 39. | Mayor's Request | Requesting an extension of the contract with Design Consultants Inc. for the Magoun Sq. reconstruction project, until August 31, 2011. | 187038
Approved |
| 40. | Mayor's Request | Requesting approval to promote Officer Scott Whalen to Sergeant in the Police Dept. | 187039
Approved |
| 41. | Mayor's Request | Requesting approval to appoint Dana LeWinter as Associate Member of the Planning Board. | 187040
Conf. of Appointments |
| 42. | Mayor's Request | Requesting approval to re-appoint Crystal Asiwe as Constable. | 187041
Approved |
| 43. | Mayor's Request | Requesting approval to re-appoint William Medeiros as Constable. | 187042
Approved |
| 44. | Mayor's Comm. | Proclaiming Friday, April 24, 2009, as Arbor Day 2009, to recognize the importance of trees and Somerville's status as "Tree City USA." | 187043
Placed on File |
| 45. | Mayor's Comm. | Proclaiming Thursday, March 26, 2009, as 10% Shift Day, to support local independent businesses. | 187044
Placed on File |

COMMUNICATIONS OF CITY OFFICERS

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| 46. | Officer's Request | City Clerk requesting that this Board convene in Executive Session to consider the release of certain Executive Session Minutes. | 187045
Board convened in Exec. Session, 6 votes taken (1 for each set of minutes); Approved in Open Session |
| 47. | Officer's Request | Election Commission Chairman requesting approval of a calendar for the 2009 election cycle. | 187046
Legislative Matters |
| 48. | Officer's Comm. | SPCD Director responding to various Board orders. | 187047
Placed on File |

NEW BUSINESS

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|-----|------------|--|--------------------|
| 49. | Public Occ | Public Occupancy Permit, Somerville Pride Fundraiser Canning Drive, Citywide, March 28, 8AM-2PM (raindate March 29). | 187048
Approved |
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50.	Public Occ	Public Occupancy Permit, King's Own Regiment Patriots Day British March Re-enactment, Medford St. & Somerville Ave. (sidewalk only). Apr. 20, 1-2AM.	187049 Approved
51.	Public Occ	Public Occupancy Permit, Little League Opening Day Parade, Concourse to Conway Park, Apr. 25, 10AM (raindate Apr. 26, 12PM).	187050 Approved
52.	Public Occ	Public Occupancy Permit, Wheel Questions Wheel Answers/Arts Council public art installation, Davis Sq. Statue Park, July 1-30.	187051 Approved
53.	Drainlayer	Renewal of Drain Layer's License, R.A. Powell Construction Co.	187052 Approved
54.	Drainlayer	Renewal of Drain Layer's License, James W. Flett Co.	187053 Approved
55.	Drainlayer	Renewal of Drain Layer's License, Suffolk Engineering Inc.	187054 Approved
56.	Drainlayer	Renewal of Drain Layer's License, LaMountain Bros. Inc.	187055 Approved
57.	Drainlayer	Renewal of Drain Layer's License, M.J. Scully & Co.	187056 Approved
58.	Drainlayer	Renewal of Drain Layer's License, Sean Farrell Excavation.	187057 Approved
59.	Drainlayer	Renewal of Drain Layer's License, E.B. Rotondi & Sons.	187058 Approved
60.	Drainlayer	Renewal of Drain Layer's License, Caruso & McGovern Construction Inc.	187059 Approved
61.	Drainlayer	Renewal of Drain Layer's License, N. Sacca & Sons Inc.	187060 Approved
62.	Drainlayer	Renewal of Drain Layer's License, P.T. Kelley Inc.	187061 Approved
63.	Flammable	Renewal of Flammables License, Cubby Oil Co., 20 Medford St., 16,800 gallons.	187062 Approved
64.	Flammable	Renewal of Flammables License, Hillside Auto Repair Inc., 583 Broadway, 22,600 gallons.	187063 Approved
65.	Flammable	Renewal of Flammables License, Broadway Brake Corporation, 45 Broadway, 8,600 gallons.	187064 Approved

66.	Flammable	Renewal of Flammables License, Pete's Boy's Inc., 229R Lowell St., 9,800 gallons.	187065 Approved
67.	Flammable	Renewal of Flammables License, Union Gulf, 231 Washington St., 18,600 gallons.	187066 Approved
68.	Flammable	Renewal of Flammables License, Nissenbaum's Auto Parts, 480-490 Columbia St., 1,500 gallons.	187067 Approved
69.	Flammable	Renewal of Flammables License, Lub-O-Line Industrial Oil Co., 9 Florence St., 12,000 gallons.	187068 Approved
70.	Flammable	Renewal of Flammables License, Lub-O-Line and Oil Co., 9 Florence St., 8,250 gallons.	187069 Approved
71.	Flammable	Renewal of Flammables License, Chambers Motorcars, 259 McGrath Hwy., 6,075 gallons.	187070 Approved
72.	Flammable	Renewal of Flammables License, Green Automotive Inc., 85 Foley St., 27,000 gallons.	187071 Approved
73.	Flammable	Renewal of Flammables License, Doucette Auto Service, 325 Alewife Brook Pkwy., 16,000 gallons.	187072 Approved
74.	Flammable	Renewal of Flammables License, Cumberland Farms Inc., 212 Broadway, 32,800 gallons.	187073 Approved
75.	Flammable	Renewal of Flammables License, Drake Petroleum Company, Inc., 360 Medford Street, 24,210 gallons.	187074 Approved
76.	Garage	Renewal of Garage License, Paul F. Paone, 11 Rossmore St., 2 autos inside, 8 outside.	187075 Licenses & Permits
77.	Garage	Renewal of Garage License, Green Automotive Inc., 85 Foley St, 5 autos inside.	187076 Licenses & Permits
78.	Garage	Renewal of Garage License, Brasil Auto Repair, 621 Somerville Ave., 2 autos inside.	187077 Licenses & Permits
79.	Garage	Renewal of Garage License, Tracer Technologies Inc., 15 North Union St., 40 autos outside.	187078 Licenses & Permits
80.	Garage	Renewal of Garage License, D.M. Auto Body Inc., 48 Joy St., 8 autos inside, 7 outside.	187079 Licenses & Permits
81.	Garage	Renewal of Garage License, Herbert Chambers I-93 Inc. dba Chambers, 59 McGrath Hwy., 310 autos inside, 40 outside.	187080 Licenses & Permits

82.	Garage	Renewal of Garage License, Auto Express, 712 Mystic Ave., 3 autos inside, 7 outside.	187081 Licenses & Permits
83.	Garage	Renewal of Garage License, T.C. Auto Exchange, 176-178 Tremont St., 2 autos inside, 12 outside.	187082 Licenses & Permits
84.	Garage	Renewal of Garage License, Auto Mechanic Sousa Inc., 308 McGrath Hwy., 9 autos inside, 3 outside.	187083 Licenses & Permits
85.	Garage	Renewal of Garage License, ARCO Tire & Service, 16 Clarendon Ave., 2 autos inside, 2 outside.	187084 Licenses & Permits
86.	Garage	Renewal of Garage License, Don's Automotive, 13-27 Cutter St., 3 autos inside, 2 outside.	187085 Licenses & Permits
87.	Garage	Renewal of Garage License, Pete's Boy's Inc., 229R Lowell St., 10 autos inside.	187086 Licenses & Permits
88.	Garage	Renewal of Garage License, Pete's Boy's Inc., 229R Lowell St., 50 autos inside.	187087 Licenses & Permits
89.	Garage	Renewal of Garage License, Fellsway Auto Repair Co., 693 McGrath Hwy., 5 autos inside, 10 outside.	187088 Licenses & Permits
90.	Garage	Renewal of Garage License, Drain Doctor Inc., 612 Broadway, 15 autos inside, 10 outside.	187089 Licenses & Permits
91.	Garage	Renewal of Garage License, Broadway Brake Corporation, 45 Broadway, 3 autos inside, 27 outside.	187090 Licenses & Permits
92.	Garage	Renewal of Garage License, Reilly's Garage, 61-63 Washington St., 2 autos inside, 6 outside.	187091 Licenses & Permits
93.	Garage	Renewal of Garage License, P. Gioioso & Sons, 628 Somerville Ave., 2 autos outside.	187092 Licenses & Permits
94.	Garage	Renewal of Garage License, Doucette Auto Service, 325 Alewife Brook Pkwy., 2 autos inside, 6 outside.	187093 Licenses & Permits
95.	Garage	Renewal of Garage License, Trustees of Tufts College, 26 Lower Campus Rd., 136 autos inside.	187094 Licenses & Permits
96.	Garage	Renewal of Garage License, J.R. Fennell Limited Partnership, 92-94 Prospect St., 90 autos inside.	187095 Licenses & Permits
97.	Garage	Renewal of Garage License, Modern Floors, Inc., 22 Marshall St., 2 autos inside, 10 autos outside.	187096 Licenses & Permits
98.	Extended Hours	New Extended Hours License, Wing Works, 201 Elm St., Fr-Sa to 2AM.	187097 Licenses & Permits

99.	Extended Hours	Renewal of Extended Hours License, McDonald's dba King-Selhi Assoc. LLC, 14 McGrath Hwy. 7 days/24 hrs.	187098 Licenses & Permits
100.	Extended Hours	Renewal of Extended Hours License, Cataldo Ambulance Service, 137 Washington St., 7 days/24 hrs.	187099 Licenses & Permits
101.	Extended Hours	Renewal of Extended Hours License, Golden Light Restaurant, 24 College Ave., Su-Th to 1:30AM, Fr-Sa to 2AM.	187100 Licenses & Permits
102.	Junk Dealer	Renewal of Junk Dealer License, Eddie's Furniture, 95A Elm St.	187101 Licenses & Permits
103.	Outdoor Parking	New Outdoor Parking License, 534 Central LLC, 11-13 Washington St., 20 autos.	187102 Licenses & Permits
104.	Outdoor Seating	Renewal of Outdoor Seating License, True Grounds, 717 Broadway, 2 tables & 4 chairs.	187103 Licenses & Permits
105.	Outdoor Seating	Renewal of Outdoor Seating License, FCMC Corp. dba Blue Shirt Café, 424 Highland Ave., 4 tables & 10 chairs.	187104 Licenses & Permits
106.	Outdoor Seating	Renewal of Outdoor Seating License, Crispy Crepe dba Mr. Crepe, 51 Davis Sq., 5 tables, 10 seats, 1 sandwich board.	187105 Licenses & Permits
107.	Outdoor Seating	Renewal of Outdoor Seating License, LDDJ Inc., dba Dave's Fresh Pasta, 81 Holland St., 6 outdoor tables.	187106 Licenses & Permits
108.	Comm.	George Haras, Trustee for 1 Concord Ave., submitting comments on #186920, a Garage License for Hondaville.	187107 Placed on File

LATE ITEMS

109.	Mayor's Request	Requesting approval of the appointment of Max as a Police Canine in the Police Dept.	187108 Approved
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Submitted by John J. Long, City Clerk