

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

**MINUTES OF THE REGULAR MEETING**

April 7, 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**

- |    |           |   |                          |
|----|-----------|---|--------------------------|
| 1. | Roll Call | Call of the Roll.   | 187109<br>Placed on File |
| 2. | Minutes   | Approval of the minutes of the Regular Meeting of March 12, 2009. | 187110<br>Approved       |

**CITATIONS**

- |    |          |   |                         |
|----|----------|---|-------------------------|
| 3. | Citation | By Ald. Gewirtz and the Entire Board, Congratulating the Burren, recently named one of America's Top 10 Irish Pubs.   | 187111<br>Laid on Table |
| 4. | Citation | By Ald. Connolly and the Entire Board, Commending David Dickerson, High School Boys Track Coach, who has been named Massachusetts Indoor Track Coach of the Year. | 187112<br>Approved      |

**PUBLIC HEARINGS**

None.

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

- |     |            |   |   |
|-----|------------|---|---|
| 5.  | Order      | By Ald. Roche, That the City Solicitor advise this Board whether items submitted for the agenda of a Board meeting, or related communications, are confidential until the agenda is released, and advise on other matters related to public records and the open meeting law. | 187113<br>Approved, Copy to<br>Rules                  |
| 6.  | Order      | By Ald. O'Donovan, That the Chief of Police place a speed board on Warwick St. weekday mornings and evenings.   | 187114<br>Approved, Copy to<br>Public Health & Safety |
| 7.  | Order      | By Ald. O'Donovan, That the Chief of Police place a speed board on Hudson St. between Lowell and Central Sts. weekday mornings and evenings.  | 187115<br>Approved, Copy to<br>Public Health & Safety |
| 8.  | Order      | By Ald. O'Donovan, That the Chief of Police order directed patrols on the undeveloped community path between Cedar St. and the Lowell St. bridge, including the Maxpak site.  | 187116<br>Approved, Copy to<br>Public Health & Safety |
| 9.  | Order      | By Ald. O'Donovan, That the Commissioner of Public Works place a CHILDREN AT PLAY sign on Hudson St. near Benton Rd.  | 187117<br>Approved, Copy to<br>Public Health & Safety |
| 10. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works meet with the Ward 5 Alderman to discuss adding new loose-fill surfacing at the Lexington Park playground.   | 187118<br>Approved                                    |
| 11. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works trim all tree limbs protruding from 25 Fiske Ave., and direct NStar to remove any safety hazard caused by tree limbs becoming entangled with street wires. (5th request).  | 187119<br>Approved, Copy to<br>Public Health & Safety |
| 12. | Order      | By Ald. Connolly and Gewirtz, That the Commissioner of Public Works repair the pothole on Villa Ave. from Winslow Ave. to Elm Ct.   | 187120<br>Approved                                    |
| 13. | Resolution | By Ald. Connolly, Trane and the Entire Board, That this Board extends its congratulations to the Somerville Visiting Nurses Association and the Somerville Housing Authority on the dedication of the assisted living facility at Capen Ct.                                   | 187121<br>Approved                                    |
| 14. | Order      | By Ald. Heuston, That the Commissioner of Public Works clean the embankment in the parking lot across from the Argenziano School.   | 187122<br>Approved                                    |
| 15. | Order      | By Ald. Heuston, That the Commissioner of Public Works clean the area behind the Lincoln Park playground and preserve the blackberry bushes there.  | 187123<br>Approved                                    |

- |     |            |  |                    |
|-----|------------|--|--------------------|
| 16. | Resolution | By Ald. Heuston, That this Board requests that the Administration provide this Board with feedback from the web-based FY10 budget survey prior to this Board's April 28 FY10 budget public forum.  | 187124<br>Approved |
| 17. | Order      | By Ald. Heuston, That the Commissioner of Public Works clean the parking lot at the Public Safety building and install trash barrels.  | 187125<br>Approved |
| 18. | Order      | By Ald. Heuston, That the Commissioner of Public Works repair the potholes on Harold St.   | 187126<br>Approved |
| 19. | Order      | By Ald. Heuston, That the Commissioner of Public Works pave Hammond St.  | 187127<br>Approved |
| 20. | Order      | By Ald. Heuston, That the Commissioner of Public Works remove the cement bollard on Fremont Ave.   | 187128<br>Approved |
| 21. | Order      | By Ald. Heuston, That the Commissioner of Public Works repair the pothole on Perry St. at Marion St.   | 187129<br>Approved |
| 22. | Order      | By Ald. Heuston, That the Commissioner of Public Works trim the trees at Osgood Park, including those overhanging the property of abutters.  | 187130<br>Approved |
| 23. | Order      | By Ald. Trane, That the Chief of Police increase traffic enforcement on Cameron Ave. for speeding and failing to stop for pedestrians.   | 187131<br>Approved |
| 24. | Order      | By Ald. Trane, That the Chief of Police order a bicycle patrol in the Tufts area to coincide with the warming weather to address noise complaints.   | 187132<br>Approved |
| 25. | Order      | By Ald. Trane and Gewirtz, That the Director of Traffic and Parking inspect the newly installed bike lanes along Broadway, from Teele Sq. to the Powderhouse rotary, and report to this Board why they seem to be exhibiting excessive wear after such a short period of time. | 187133<br>Approved |

**UNFINISHED BUSINESS**

- |     |            |  |                          |
|-----|------------|--|--------------------------|
| 26. | 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<br>Approved       |
| 27. | Resolution | By Ald. Roche, Connolly, Heuston, Pero, Trane, Desmond, O'Donovan and Sullivan, In support of the Police Dept.   | 187009<br>Placed on File |

**REPORTS OF COMMITTEES**

28.	Committee Report	Report of the Committee on Housing & Community Development, March 30. No papers.	187134 Approved
29.	Committee Report	Report of the Committee on Public Health & Safety, March 31. No papers.	187135 Approved
30.	Committee Report	Report of the Committee on Land Use, April 1. No papers.	187136 Approved
31.	Committee Report	Report of the Committee on Finance, April 6.	187137 Approved
31A.	Mayor's Request	Requesting the extension of a contract with Fay Spofford & Thorndike LLC for designing and planning the Mystic River Reservation Trail Wellington/Rt. 28 Undercarriage.	186958 Approved
31B.	Mayor's Request	Requesting the appropriation of a mitigation payment of \$17,500 from Federal Realty Investment Trust to a new Stabilization Fund to be known as the "Wellington Undercarriage Fund," to fund the Wellington/Rt. 28 Undercarriage for the Mystic River Reservation Trail.	186959 Approved
32.	Committee Report	Report of the Committee on Licenses & Permits, April 7.	187138 Approved
32A.	Garage	New Garage License, Samay Inc. dba Somerville Gas, 73 Summer St., 2 autos inside, 10 outside, Mon-Sat, 8AM-6:30PM.	185972 Approved as Amended: 2 cars inside, 12 outside (10 + 2 zip cars only)
32B.	Extended Hours	New Extended Hours License, Red House Restaurant, 24 Union Sq., Su-Th to 1:30AM, Fr-Sa to 2AM.	186864 Approved for 30 days only
<b><u>COMMUNICATIONS OF THE MAYOR</u></b>			
33.	Mayor's Request	Requesting approval of an amendment to the Zoning Ordinance to create a new use titled, "Historic Bed and Breakfast."	187139 Land Use and Planning Board
34.	Mayor's Request	Requesting approval of a 5 year contract with Casella Inc. to process the city's recycled materials.	187140 Finance
35.	Mayor's Request	Requesting approval to use \$20,681 in available funds in two DPW B&G OM Accts. (\$14,385 in Building Improvements and \$6,296 in Capital Equipment) for engineering tests on the brick walls at the Brown School.	187141 Finance

36.	Mayor's Request	Requesting approval to declare as surplus property a dry heat sterilizer that is no longer useful to the Health Dept.	187142 Finance
37.	Mayor's Request	Requesting the appointment of Charles Chisholm to the Condominium Review Board.	187143 Conf. of Appointments
38.	Mayor's Request	Requesting the appointment of Nichole Bookwalter to the Historic Preservation Commission.	187144 Approved
39.	Mayor's Request	Requesting the appointment of Sarah Degutis to the Historic Preservation Commission.	187145 Approved
40.	Mayor's Request	Requesting the appointment of Eric Parkes to the Historic Preservation Commission.	187146 Approved
41.	Mayor's Request	Requesting the re-appointment of Thomas DeYoung to the Historic Preservation Commission.	187147 Approved
42.	Mayor's Request	Requesting the re-appointment of Derick Snare to the Historic Preservation Commission.	187148 Approved

**COMMUNICATIONS OF CITY OFFICERS**

None.

**NEW BUSINESS**

43.	Public Occ	Public Event Permit, Save Our Somerville Soccer Tournament, Capuano Field, Apr. 20, 7:30AM-8:30PM (raindate Apr. 21).	187149 Approved
44.	Public Occ	Public Event Permit, Crohn's & Colitis Foundation of America Bake Sale, Davis Sq. Statue Park, Apr. 25, 12-3:30PM (raindate Apr. 26).	187150 Approved
45.	Public Occ	Public Event Permit, Spring Cleanup Barbeque, Nunziato Field, May 9, 11AM-3PM (raindate May 10).	187151 Approved
46.	Public Occ	Public Event Permit, Somerville Road Runners Summer Steamer Road Race, Khoury's State Spa, Jul. 19, 10-12Noon.	187152 Approved
47.	Public Occ	Public Event Permit, Somerville Road Runners Gobble Gobble Road Race, Davis Sq., Nov. 26, 9-12Noon.	187153 Approved
48.	Drainlayer	New Drain Layer's License, Armstrong Excavation Corp.	187154 Approved
49.	Drainlayer	Renewal of Drain Layer's License, F.E. French Construction Inc.	187155 Approved

50.	Flammable	Renewal of Flammables License, Faulkner Bros. Inc., 9-13 Alpine St., 18,900 gallons.	187156 Approved
51.	Flammable	Renewal of Flammables License, 120 Beacon St. Limited Partnership, 120 Beacon St., 20,000 gallons.	187157 Approved
52.	Flammable	Renewal of Flammables License, MLM Corp. dba Trum Field Sunoco, 541 Broadway, 24,550 gallons.	187158 Approved
53.	Flammable	Renewal of Flammables License, Grove Street Realty Trust, 48 Grove St., 500 gallons.	187159 Approved
54.	Flammable	Renewal of Flammables License, Little Sisters of the Poor, 186 Highland Ave., 15,000 gallons.	187160 Approved
55.	Flammable	Renewal of Flammables License, Hess #21521, 709 McGrath Hwy., 45,500 gallons.	187161 Approved
56.	Flammable	Renewal of Flammables License, Souza Bros. Foreign Cars Service Inc., 35-37 Prospect St., 12,388 gallons.	187162 Approved
57.	Flammable	Renewal of Flammables License, J.C. Auto Repair, 91 Prospect St., 50 gallons.	187163 Approved
58.	Flammable	Renewal of Flammables License, M.S. Walker Inc., 20R Third Ave., 90,000 gallons.	187164 Approved
59.	Flammable	Renewal of Flammables License, Cumberland Farms, Inc., 701-709 Somerville Ave., 25,000 gallons.	187165 Approved
60.	Extended Hours	New Extended Hours License, Kee Kar Lau, 1158 Broadway, Su-Th to 1:30AM, Fr-Sa to 2AM.	187166 Licenses & Permits
61.	Extended Hours	Renewal of Extended Hours License, Spike Rules Inc., 217 Elm St., Mo-Su to 1AM.	187167 Licenses & Permits
62.	Outdoor Seating	Renewal of Outdoor Seating License, Terranova Inc. dba Mikes Restaurant, 9 Davis Sq., 8 tables, 16 chairs.	187168 Licenses & Permits
63.	Outdoor Seating	Renewal of Outdoor Seating License, Tamario Inc., 415 Washington St., 2 benches.	187169 Licenses & Permits
64.	Billiards	Renewal of Billiard/Pool Table & Bowling Alley License (2007), AOD Inc. dba On The Hill Tavern, 499 Broadway, 3 tables.	187170 Licenses & Permits
65.	Billiards	Renewal of Billiard/Pool Table & Bowling Alley License (2008), AOD Inc. dba On The Hill Tavern, 499 Broadway, 3 tables.	187171 Licenses & Permits

66.	Junk Dealer	Renewal of Junk Dealers License, Joseph Talewsky Enterprise Inc., 508 Columbia St.	187172 Licenses & Permits
67.	Junk Dealer	Renewal of Junk Dealer's License, CASPAR Inc. dba CASPAR Second Gear, 160 Highland Ave.	187173 Licenses & Permits
68.	Used Car	Renewal of Used Car Dealers License Class II, A Plus Auto Body, 297 Medford St., 2 autos outside.	187174 Licenses & Permits
69.	Garage	Renewal of Garage License, Faulkner Bros. Inc., 13 Alpine St., 10 autos inside.	187175 Licenses & Permits
70.	Garage	Renewal of Garage License, Nippon Express U.S.A., Inc., 30 Inner Belt Road, 4 autos inside.	187176 Licenses & Permits
71.	Garage	Renewal of Garage License, GEMICAR, Inc., 9 Union Square, 3 autos inside, 5 autos outside.	187177 Licenses & Permits
72.	Garage	Renewal of Garage License, Hawkins Street Automotive Co., 3-9 Hawkins Street, 4 autos inside, 8 autos outside.	187178 Licenses & Permits
73.	Garage	Renewal of Garage License, 120 Beacon St. LP, 120 Beacon St., 20 autos inside, 60 outside.	187179 Licenses & Permits
74.	Garage	Renewal of Garage License, PMD Group LLC, 379-385 Broadway, 150 autos inside.	187180 Licenses & Permits
75.	Garage	Renewal of Garage License, Grove Street Realty Trust, 48 Grove St., 20 autos inside.	187181 Licenses & Permits
76.	Garage	Renewal of Garage License, Gasper Ostuni, 195 Highland Ave., 12 autos inside.	187182 Licenses & Permits
77.	Garage	Renewal of Garage License, A Plus Auto Body Inc., 295 Medford St., 20 autos inside, 11 outside.	187183 Licenses & Permits
78.	Garage	Renewal of Garage License, A Plus Auto Body Inc., 297 Medford St., 10 autos outside.	187184 Licenses & Permits
79.	Garage	Renewal of Garage License, Souza Bros. Foreign Car Service Inc., 35-37 Prospect St., 10 autos inside.	187185 Licenses & Permits
80.	Garage	Renewal of Garage License, J.C. Auto Repair, 91 Prospect St., 2 autos inside, 8 outside.	187186 Licenses & Permits
81.	Garage	Renewal of Garage License, 429 Corp., 109-111 Prospect St., 5 autos inside, 15 outside.	187187 Licenses & Permits
82.	Garage	Renewal of Garage License, Barnes & Walsh Company A.B., 224-226 Somerville Ave., 9 autos inside.	187188 Licenses & Permits

- |     |        |  |                              |
|-----|--------|--|------------------------------|
| 83. | Garage | Renewal of Garage License, Domenic Fabrizio, 290 Rear Somerville Ave., 2 autos inside, 2 outside.    | 187189<br>Licenses & Permits |
| 84. | Garage | Renewal of Garage License, Unlimited Auto Body Inc., 471 Somerville Ave., 3 autos inside, 3 outside. | 187190<br>Licenses & Permits |
| 85. | Garage | Renewal of Garage License, E-Z Auto Body, 627 Somerville Ave., 33 autos inside.                      | 187191<br>Licenses & Permits |
| 86. | Garage | Renewal of Garage License, M. Korson & Co. Inc., 91 Washington St., 1 auto inside, 3 outside.        | 187192<br>Licenses & Permits |
| 87. | Garage | Renewal of Garage License, Cataldo Ambulance Service, 4 Joy St., 6 autos inside, 4 outside.          | 187193<br>Licenses & Permits |

**LATE ITEMS**

- |     |                 |   |                    |
|-----|-----------------|---|--------------------|
| 88. | Mayor's Request | Requesting approval to declare as surplus property a volumetric prover that is no longer useful to the Weights and Measures Division. | 187194<br>Approved |
|-----|-----------------|---|--------------------|

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