

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

MINUTES OF THE REGULAR MEETING

May 8, 2008, 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 Dennis M. Sullivan, Vice President Walter F. Pero, Aldermen John M. Connolly, Bruce M. Desmond, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Rebekah L. Gewirtz, Robert C. Trane

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. | 185556
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of April 10, 2008. | 185557
Approved |

CITATIONS

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| 3. | Citation | By Ald. Pero and the Entire Board, Commending James O'Donovan, Joseph Steen and James Galvin, Grand Marshals of Somerville's 2008 Memorial Day Parade. | 185558
Approved |
| 4. | Citation | By Ald. Sullivan, Pero and the Entire Board, Commending John Ciampa and Joseph Medeiros, who are retiring after many years of dedicated service to the Somerville Commission for Persons with Disabilities. | 185559
Approved |
| 5. | Citation | By Ald. Roche, Sullivan and the Entire Board, Commending Sal and Claudia Ferro on the happy occasion of their 45 th Wedding Anniversary. | 185560
Approved |
| 6. | Citation | By Ald. Sullivan and the Entire Board, Commending the Somerville PTA on the occasion of its 34 th annual Scholarship Dinner Dance, for its tireless efforts to advance the educational opportunities for our children. | 185561
Approved |

PUBLIC HEARINGS

None

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

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| 7. | Order | By Ald. Roche, That the Director of Traffic and Parking examine the vicinity of Virginia, Aldrich, Jasper and Gilman Sts. to determine a solution to discourage or eliminate vehicles leaving the Pearl St. Gas Station from entering into this neighborhood. | 185562
Approved |
| 8. | Order | By Ald. Roche, That the Chief of Police enforce the No Right Turn restriction at Jasper and Pearl Sts., and that the Director of Traffic and Parking determine if a better location for signage is needed. | 185563
Approved |
| 9. | Order | By Ald. Roche, That the Director of SPCD direct the owner of 50 Tufts St. to remove the graffiti from the rear of the building. | 185564
Approved |
| 10. | Order | By Ald. Roche, That the Commissioner of Public Works install American flags along Broadway, from Walnut St. to Boston, and leave them in place through Veterans Day. | 185565
Approved |
| 11. | Order | By Ald. Roche, That the Director of SPCD and the Commissioner of Public Works jointly notify the appropriate MBTA officials to clean up debris around the tracks near the Cross St. bridge. | 185566
Approved |
| 12. | Order | By Ald. Pero, That the Director of Traffic and Parking enforce the restrictions on overnight parking in the Winter Hill Community School at Thurston St. and Evergreen Ave. | 185567
Approved |
| 13. | Order | By Ald. Pero, That the Commissioner of Public Works post signs on, and order regular street cleaning of, E. Albion St. | 185568
Approved |
| 14. | Order | By Ald. Pero, That the Chief of Police order a directed patrol on Marshall St. for numerous reports of vandalism. | 185569
Approved |
| 15. | Order | By Ald. Pero, That the Commissioner of Public Works repair the sidewalk on Thurston St. at the entrance to the City Hall Annex. | 185570
Approved |
| 16. | Order | By Ald. Pero, That the Commissioner of Public Works report on the condition of the tree at 14-16 Langmaid Ave. | 185571
Approved |
| 17. | Resolution | By Ald. Pero and Roche, That this Board requests that the Mayor's Office determine responsibility and a removal plan for the Youth Peace Conference flyers and other such flyers posted at various locations throughout Ward 4 and the City. | 185572
Approved |

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| 18. | Order | By Ald. Trane, That the Commissioner of Public Works instruct the Superintendent of Lights and Lines to appear before the Committee on Public Utilities and Works to discuss double poles and what is being done to have the companies responsible move the lines to new poles. | 185573
Approved, Copy to
Licenses & Permits and
Public Utilities &
Works |
| 19. | Resolution | By Ald. Trane and Gewirtz, That this Board requests that the Dedication Committee accept a gift from the Garden Club for the West Branch Library, in honor of Barbara Sibley and her many years of work with the Garden Club. | 185574
Approved |
| 20. | Order | By Ald. Connolly, That the Director of Health arrange to clean and/or bait the sewers in the vicinity of Grove St., Winslow Ave., Villa Ave. and Elm Ct. | 185575
Approved |
| 21. | Resolution | By Ald. Connolly and the Entire Board, That this Board requests that the Somerville Kiwanis Club be given permission to locate and maintain two poles to display the flag of the United States. | 185576
Approved |
| 22. | Resolution | By Ald. Connolly, Desmond, Sullivan, White and Gewirtz, That this Board requests that the MBTA's General Manager install additional bicycle racks at both the College Ave. and Holland St. entrances to the MBTA station in Davis Sq. | 185577
Approved |
| 23. | Resolution | By Ald. Connolly, Desmond, Sullivan and White, That this Board requests that the Mayor and State delegation review the proposed siting of the Green Line's 11-acre maintenance facility in the Inner Belt/Brickbottom area. | 185578
Approved, Copy to
Housing & Community
Development |
| 24. | Order | By Ald. Connolly, Desmond, Sullivan, White, Trane and Gewirtz, That the Director of Traffic and Parking mark specific bicycle travel lanes on College Ave. from Medford to Davis Sq., and from the Powderhouse rotary to the intersection of Broadway and Holland St. in Teele Sq. | 185579
Approved |
| 25. | Order | By Ald. Taylor, That the Commissioner of Public Works and the Director of SPCD contact the manager of the Citizens Bank in Union Sq. to advise on the pending construction of a handicap ramp. | 185580
Approved |
| 26. | Order | By Ald. Taylor, That the Director of Traffic and Parking replace the damaged DO NOT ENTER signs at the corner of Greenville St. and McGrath Hwy. | 185581
Approved |
| 27. | Order | By Ald. Taylor, That the Commissioner of Public Works clean the sewer basins at each corner of Benton Rd. and Gibbens St. | 185582
Approved |
| 28. | Order | By Ald. Taylor, That the Director of SPCD provide the Ward 3 Alderman with a report on 2 Benton Rd. | 185583
Approved |

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| 29. | Order | By Ald. Gewirtz, That the Director of Traffic and Parking report to this Board the feasibility of the rule requiring the Traffic Dept. to place signs on bagged meters indicating hours the meters are unavailable when bagged and report on the new parking meter bags ordered by the Dept. | 185584
Approved |
| 30. | Order | By Ald. Gewirtz, That the Commissioner of Public Works report to this Board the status of ID numbers on bike path light poles for the safety of residents and bike path users. | 185585
Approved |
| 31. | Order | By Ald. Gewirtz, That the Commissioner of Public Works again advise Russell Disposal that residential trash pick up is not to begin before 7 AM, and that the Director of SPCD fine any disposal company that violates this law. | 185586
Approved |
| 32. | Order | By Ald. Desmond and Gewirtz, The Director of SPCD notify the owner of 58 Burnside Ave. that the fence on the Summer St. side of the property is a safety hazard to pedestrians. (2 nd request) | 185587
Approved |
| 33. | Order | By Ald. Desmond and O'Donovan, That the Commissioner of Public Works repair or remove the water main sticking 3 inches above the sidewalk at 56 Cedar St. | 185588
Approved |
| 34. | Order | By Ald. Desmond, Trane and Heuston, That the Commissioner of Public Works install sidewalks with curbs and curb cuts in the area of 45 Webster Ave. | 185589
Approved |
| 35. | Order | By Ald. Desmond, Trane and Heuston, That the Commissioner of Public Works install trees in the area of 45 Webster Ave. | 185590
Approved |
| 36. | Order | By Ald. Desmond, Trane and Heuston, That the Chief of Police assign a crossing guard to the intersection of Webster Ave. and Prospect St. | 185591
Approved |

UNFINISHED BUSINESS

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| 37. | Citation | By Ald. O'Donovan and the Entire Board, Congratulating Constance Lauro on the auspicious occasion of her 100 th birthday. | 184823
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REPORTS OF COMMITTEES

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| 38. | Committee Report | Report of the Committee on Environment & Energy, April 28.
No Papers. | 185592
Approved |
| 39. | Committee Report | Report of the Committee on Legislative Matters, April 30. | 185593
Approved |

39A.	Order	By Ald. Sullivan, That the Director of SPCD develop and utilize a sign-off letter for property owners, making them aware of the intent of the Historic Preservation Ordinance	185594 Approved
40.	Committee Report	Report of the Committee on Legislative Matters, May 6.	185595 Approved
40A.	Order	By Ald. Gewirtz, That the Clerk of Committees submit all information received for the Responsible Employer Ordinance to all Aldermen a week prior to the May 20 Legislative Matters Committee meeting.	185596 Approved, Copy to Legislative Matters
40B.	Order	By Ald. Trane, That the appropriate city dept. notify all supermarkets of the proposed plastic bag ordinance, to be discussed at the May 20 Legislative Matters Committee meeting.	185597 Approved, Copy to Legislative Matters
41.	Committee Report	Report of the Committee on Licenses & Permits, May 6.	185598 Approved
41A.	Extended Hrs	New Extended Hours License, Burger King Corp., 185 Somerville Ave., 24 /7 Drive Thru.	185542 NOT Approved
41B.	Order	By Ald. Trane, That the Chief of Police order a directed patrol to insure that Burger King closes at midnight nightly.	185599 Approved
41C.	Resolution	By Ald. Desmond, That the City Clerk notify the Chief of Police that Burger King should not be open past midnight.	185600 Approved
41D.	Order	By Ald. Heuston, That the Chief of Police order a directed patrol to check for unregistered vehicles in the Burger King parking lot.	185601 Approved
42.	Committee Report	Report of the Committee on Licenses & Permits, May 7.	185602 Approved
42A.	Flammable	Amendment of Flammable License, MLM Corp. dba Trum Field Sunoco, 541 Broadway, to add an underground 4,000 gallon tank.	185405 Approved
42B.	Outdoor Seating	Renewal of Outdoor Seating License, Princess Beauty Salon, 364 Mystic Ave., 2 Tables, 2 Chairs & Sidewalk Sign.	185440 Sidewalk Sign Approved, Tables & Chairs Not Approved
42C.	Garage	New Garage License, Inman Auto Center, 45 Webster Ave., 13 autos inside, 4 outside.	185523 Approved for 90 days only
42D.	Garage	Renewal of Garage License, T.C. Auto Exchange, 176-178 Tremont St., 2 autos inside, 12 outside.	185524 Approved

42E.	Garage	Renewal of Garage License, Auto Fair, 371 Beacon St., 2 autos inside, 5 outside.	185525 Approved
42F.	Garage	Renewal of Garage License, Souza Bros. Foreign Car Service Inc., 35-37 Prospect St., 10 autos inside.	185526 Approved
42G.	Garage	Renewal of Garage License, Circuit City Stores Inc. #4111, 65 Mystic Ave., 3 autos inside.	185527 Approved
42H.	Garage	Renewal of Garage License, Flores Auto Repair, 6D Beach Ave., 4 autos inside.	185528 Approved
42I.	Garage	Renewal of Garage License, Original Auto Body and Mechanic Inc., 12-16 Joy St., 8 autos inside, 2 outside.	185529 Approved
42J.	Garage	Renewal of Garage License, Boston Sand and Gravel Company, 492 Rutherford Ave., 60 autos inside.	185530 Approved
42K.	Garage	Renewal of Garage License, Mike's Auto Services, 6E Beach Ave., 5 autos inside, 1 outside.	185531 Approved
42L.	Garage	Renewal of Garage License, Mass Auto Repair, 631 Somerville Ave., 14 autos inside.	185532 Approved
42M.	Garage	Renewal of Garage License, Service Auto Body Inc. dba Webster Auto, 69 Webster Ave., 11 autos inside.	185533 Approved
42N.	Garage	Renewal of Garage License, Webster Auto Body Co., 65 Webster Ave., 25 autos inside.	185534 Approved
42O.	Garage	Renewal of Garage License, Dewire Family Trust, 139-147 Beacon St., 22 autos inside.	185535 Approved
42P.	Garage	Renewal of Garage License, Dewire Family Trust, 387 Washington St., 12 autos inside.	185536 Approved
42Q.	Garage	Renewal of Garage License, Dewire Family Trust, 381-383 Washington St., 22 autos inside, 30 outside.	185537 Approved
42R.	Outdoor Seating	New Outdoor Seating License, Kickass Cupcakes, 378 & 378A Highland Ave., 2 tables & 8 chairs.	185538 Approved
42S.	Used Car	Renewal of Used Car Dealers License Class III (2007), Ed's Used Auto Parts, 516-518 Columbia St.	185539 Approved
42T.	Used Car	Renewal of Used Car Dealers License Class III, Ed's Used Auto Parts, 516-518 Columbia St.	185540 Approved
42U.	Used Car	Renewal of Used Car Dealers License Class II, Mass Auto Sales, 631 Somerville Ave., 14 autos.	185541 Approved

COMMUNICATIONS OF THE MAYOR

43.	Mayor's Request	Requesting support of a joint application with Federal Realty Investment Trust for State funding through the MORE jobs program for infrastructure in Assembly Sq.	185603 Approved
44.	Mayor's Request	Requesting approval of the Somerville Annex of the Metro-Boston Multi-Hazard Mitigation Plan approved by FEMA to ensure eligibility for all hazard mitigation grants that become available from FEMA.	185604 Finance and Energy & Environment
45.	Mayor's Request	Requesting approval to refinance SPCD's HUD Section 108 Loan #B-97-MC-25-0022 as part of a public offering to be made in June, 2008.	185605 Finance
46.	Mayor's Request	Requesting approval to appropriate \$948,053 and issue a bond to borrow said amount for participation in the MWRA Local Pipeline Assistance Program, an interest free loan.	185606 Approved
47.	Mayor's Request	Requesting approval to raise the FY2008 spending cap for the Cable and Telecommunications Revolving Fund (1620) from \$702,912 to \$908,088, as a one-time increase to pay for programs such as the City's summer youth employment.	185607 Finance
48.	Mayor's Request	Requesting approval to appropriate \$82,160 from the Sewer Enterprise Retained Earning Acct. to the Sewer Street/Sidewalk Repairs Acct.	185608 Approved
49.	Mayor's Request	Requesting approval to transfer \$2,538 from the Finance Internal Control Salaries Acct. to the Finance Auditing Office Equipment Acct. to purchase office equipment for Payroll and for the new Budget Analyst.	185609 Finance
50.	Mayor's Request	Requesting approval to transfer \$2,227 from the Personnel OM budget to the PS budget to offset the salary expense for last summer's Personnel intern.	185610 Approved
51.	Mayor's Request	Requesting approval to use available funds of \$575 in the Constituent Services Salaries Acct. to fund a new salary rate for one Representative; the position will be budgeted for FY09 at the annual salary of \$49,859.11.	185611 Finance
52.	Mayor's Request	Requesting approval for the Law Dept. to pay a prior year invoice of \$8,713.17 with FY08 funds for services provided by the law firm of Murphy, Hesse, Toomey & Lehane, relative to the Police Advisory Group.	185612 Finance
53.	Mayor's Request	Requesting approval for the Dept. of Public Works to pay a \$2,000 prior year invoice using FY08 funds for the annual compliance fee issued in FY07, as required by MGL c21E.	185613 Finance

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| 54. | Mayor's Request | Requesting approval for Personnel to pay two prior year invoices with FY08 funds: \$1,279.30 for the Cambridge Health Alliance and \$175 for the International Public Management Association. | 185614
Approved |
| 55. | Mayor's Request | Requesting approval to expend a grant of \$101,000 from the MA Dept. of Public Health for the Health Dept.'s School Nursing Program. | 185615
Finance |
| 56. | Mayor's Request | Requesting approval to expend a grant of \$7,200 from the MA Executive Office of Public Safety to the Fire Dept to provide fire safety education to children. | 185616
Finance |
| 57. | Mayor's Request | Requesting the re-appointment of William Medeiros as Constable. | 185617
Approved |

COMMUNICATIONS OF CITY OFFICERS

None

NEW BUSINESS

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| 58. | Public Occ | Public Occupancy Permit, Redbones Bike to Work Week Benefit, Chester St., May 12, 5-10PM (raindate May 19). | 185618
Approved |
| 59. | Public Occ | Public Occupancy Permit, Conwell St. Block Party, June 1, 4-8:30PM. | 185619
Approved |
| 60. | Public Occ | Public Occupancy Permit, Fucile/Wells Wedding Reception Softball game & BBQ, Trum Field, June 21, 12-7PM. | 185620
Approved |
| 61. | Drainlayer | New Drain Layer's License, D'Alelio Construction Co. | 185621
Approved |
| 62. | Drainlayer | Renewal of Drain Layer's License, Advanced Water & Sewer. | 185622
Approved |
| 63. | Drainlayer | Renewal of Drain Layer's License, Roto-Rooter Services. | 185623
Approved |
| 64. | Flammable | Renewal of Flammable License, Mass. Bay Commuter Rail (MBCR), 70R Third Ave., 393,510 gallons. | 185624
Approved |
| 65. | Flammable | Renewal of Flammable License, Cumberland Farms Inc., 701-709 Somerville Ave., 25,000 gallons. | 185625
Approved |
| 66. | Flammable | Renewal of Flammable License, Fred Hubbard Gulf Inc., 369-371 Highland Ave., 19,100 gallons. | 185626
Approved |

67.	Flammable	Renewal of Flammable License, Simon's Auto Service, 166 Boston Ave., 18,150 gallons.	185627 Approved
68.	Flammable	Renewal of Flammable License, GE&M. Auto Service dba Parkway Sunoco, 395 Alewife Brook Pkwy., 32,995 gallons.	185628 Approved
69.	Garage	Renewal of Garage License, Pat's Auto Body Inc., 13-19 Joy St., 22 autos inside & 20 outside.	185629 Licenses & Permits
70.	Garage	Renewal of Garage License, Pat's Auto Body Inc., 161 Linwood St., 25 autos inside.	185630 Licenses & Permits
71.	Garage	Renewal of Garage License, Rodriguez Auto Repair, 66-68 Joy St., 10 autos inside.	185631 Licenses & Permits
72.	Garage	Renewal of Garage License, F.W. Russell & Sons Disposal, 120 McGrath Hwy., 4 autos inside & 21 outside.	185632 Licenses & Permits
73.	Garage	Renewal of Garage License, Brasil Auto Repair, 621 Somerville Ave., 2 autos inside.	185633 Licenses & Permits
74.	Garage	Renewal of Garage License, Alex Auto Body Inc., 75 Washington St., 5 autos inside & 3 outside.	185634 Licenses & Permits
75.	Garage	Renewal of Garage License, Somerville Auto Repair, 453 Somerville Ave., 2 autos inside & 7 outside.	185635 Licenses & Permits
76.	Garage	Renewal of Garage License, GE&M Auto Service, 395 Alewife Brook Pkwy., 3 autos inside & 14 outside.	185636 Licenses & Permits
77.	Junk Dealer	Renewal of Junk Dealer License, Eddie's Furniture, 95 Elm St.	185637 Licenses & Permits
78.	Billiards	Renewal of Billiard/Pool Table & Bowling Alley License, Davis Sq. Bowladrome, 45 Day St., 8 pool tables & 15 bowling alleys.	185638 Licenses & Permits
79.	Outdoor Seating	New Outdoor Seating License, Crispy Crepe dba Mr. Crepe, 51 Davis Sq., 5 tables, 10 chairs & a sandwich board.	185639 Licenses & Permits
80.	Outdoor Seating	Renewal of Outdoor Seating License, Terranova Inc. dba Mike's Restaurant, 9 Davis Sq., 8 tables & 16 chairs.	185640 Licenses & Permits
81.	Outdoor Seating	Renewal of Outdoor Seating License, Eddie's Furniture, 95 Elm St., goods on sidewalk.	185641 Licenses & Permits
82.	Outdoor Seating	Renewal of Outdoor Seating License, Union Sq. Acupuncture, 21 Bow St., sandwich board.	185642 Licenses & Permits

83.	Outdoor Seating	Renewal of Outdoor Seating License, Amethyst Chiropractic PC dba Amethyst Center, 259 Elm St. #300, sandwich board.	185643 Licenses & Permits
84.	Outdoor Parking	Renewal of Outdoor Parking License, FW Russell & Sons Disposal Inc., 120 McGrath Hwy., 25 autos.	185644 Licenses & Permits
85.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 160-200 McGrath Hwy., 340 autos.	185645 Licenses & Permits
86.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 24-30 Joy St., 100 autos.	185646 Licenses & Permits
87.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 161 Linwood St., 63 autos.	185647 Licenses & Permits
88.	Extended Hrs	Renewal of Extended Hours License, Hess Corp., 709 McGrath Hwy., 24/7.	185648 Licenses & Permits
89.	Taxi Med	Renewal of Taxi Medallion, 32 Summer St. Corp., Med. #29.	185649 Approved
90.	Taxi Med	Renewal of Taxi Medallion, King's Transportation Co., Med. #70.	185650 Approved

LATE ITEMS

91.	Order	By Ald. Trane, That the Commissioner of Public Works work with Tufts on an early trash pickup for the end of the school year.	185651 Approved
92.	Order	By Ald. Trane, That the Commissioner of Public Works replace the asphalt patch on Ossipee Rd. adjacent to 51 Curtis St. with a permanent repair.	185652 Approved
93.	Order	By Ald. Heuston, That the Commissioner of Public Works clean Harding St. and insure that the street sweeping schedule is maintained for Harding and Ward Sts.	185653 Approved
94.	Resolution	By the Entire Board, That this Board requests that the State Delegation forward invitations to all meetings regarding a Green Line maintenance facility to all Aldermen.	185654 Approved

Submitted by John J. Long, City Clerk