

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

MINUTES OF THE REGULAR MEETING

May 28, 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. | 187540
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of April 23, 2009. | 187541
Approved |

CITATIONS

None

PUBLIC HEARINGS

None

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

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| 3. | Resolution | By Ald. Connolly and the Entire Board, That this Board offers its sincere commendation to Veterans Services Director Frank Senesi for a job well done organizing the 2009 Memorial Day Parade. | 187542
Approved |
| 4. | Order | By Ald. Pero, That the Commissioner of Public Works pave the roadway at 19 East Albion St. | 187543
Approved |
| 5. | Order | By Ald. O'Donovan, That the Commissioner of Public Works place mulch at the trees at 40-46 Warwick St. | 187544
Approved |

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| 6. | Order | By Ald. O'Donovan, That the Commissioner of Public Works trim the tree at 36 Rogers Ave. | 187545
Approved |
| 7. | Order | By Ald. O'Donovan, That the Commissioner of Public Works replace the broken and raised sidewalk panels at 29 and 36 Rogers Ave. | 187546
Approved |
| 8. | Order | By Ald. O'Donovan, That the Commissioner of Public Works replace the hot top covering at 8 and 10 Francis St. | 187547
Approved |
| 9. | Order | By Ald. O'Donovan, That the Chief of Police order directed patrols around the Maxpak site nightly, 9PM—3AM, including the undeveloped bike path and Clyde and Warwick Sts. | 187548
Approved, Copy to
Public Health & Safety |
| 10. | Order | By Ald. O'Donovan, That the Commissioner of Public Works install a fence at the parking lot adjacent to Somerville Junction Park, and reply with a completion date. | 187549
Approved |
| 11. | Order | By Ald. Connolly and Gewirtz, That the Commissioner of Public Works repair the sinking catch basin at Villa and Winslow Aves. | 187550
Approved |
| 12. | Order | By Ald. Connolly and Gewirtz, That the Commissioner of Public Works repair the pothole and cracked roadway on Grove St. near Morrison Ave. | 187551
Approved |
| 13. | Order | By Ald. Connolly and O'Donovan, That the Commissioner of Public Works repair the cracked road surface on Cedar St. between Summer and Elm Sts. | 187552
Approved |
| 14. | Order | By Ald. Heuston, That the Director of SPCD inform the owner of 198-220 Somerville Ave. that trash must not be left in trash bags on Merriam St. | 187553
Approved |
| 15. | Order | By Ald. Heuston, That the Director of SPCD direct Waste Management to regularly sweep the sidewalk surrounding their property. | 187554
Approved |
| 16. | Order | By Ald. Heuston, That the Commissioner of Public Works replace the 5 dead trees on Joy St. | 187555
Approved |
| 17. | Order | By Ald. Heuston, That the Commissioner of Public Works meet with the Ward 2 Alderman regarding placement of a bench and trash receptacle on Fitchburg St. | 187556
Approved |
| 18. | Order | By Ald. Heuston, That the Director of Traffic and Parking determine whether an additional parking space can be situated at the end of Linden St. before the traffic signal. | 187557
Approved |

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| 19. | Order | By Ald. Heuston, That the Commissioner of Public Works contact NStar regarding excessively low hanging wires on utility pole #2-15 on Allen St. | 187558
Approved |
| 20. | Order | By Ald. Heuston, That the Commissioner of Public Works replace the PERMIT PARKING sign at 20 Merriam St. | 187559
Approved |
| 21. | Order | By Ald. Heuston, That the Commissioner of Public Works repair the hole in the sidewalk on Merriam St. near the Target parking lot. | 187560
Approved |
| 22. | Order | By Ald. Sullivan and Roche, That the Director of Traffic and Parking install a NO PARKING TO CORNER sign before the underground parking garage entrance at 240 Pearl St. and increase enforcement in this area. | 187561
Approved, Copy to
Senior Services |
| 23. | Order | By Ald. Gewirtz, That the Director of SPCD contact the Goodwill store and ask that items left in front of the store be removed each night. | 187562
Approved |
| 24. | Order | By Ald. Gewirtz, That the Director of Traffic and Parking inform this Board of any plans to change traffic patterns around Simpson, Irving and Wallace Sts., and inform the neighborhood of any proposals as they become available. | 187563
Approved |
| 25. | Order | By Ald. Gewirtz, That the Director of Traffic and Parking inform this Board what steps are taken to enforce the city's anti-idling law and how many citations for this violation have been given over the past year. | 187564
Approved |
| 26. | Order | By Ald. Gewirtz, That the Commissioner of Public Works repair the raised sidewalk at 7 Park Ave. | 187565
Approved |
| 27. | Resolution | By Ald. Gewirtz, That this Board requests that the Dedication Committee designate the corner of College and Morrison Aves. or Hall and Liberty Aves. as the Carl Joseph Lorenzo Square. | 187566
Approved |
| 28. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration add Chester Place to the list of streets to be re-paved this spring. | 187567
Approved |
| 29. | Order | By Ald. Taylor, That the Director of Traffic and Parking evaluate the corner of Prospect Hill Ave. and Munroe St. to ensure the safety of children and parents using the Corbett/McKenna Playground. | 187568
Approved |
| 30. | Order | By Ald. Taylor, That the Chief of Police increase traffic enforcement for Failure to Stop at the corner of Prospect Hill Ave. and Munroe St. during the park's hours of operation. | 187569
Approved |

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| 31. | Order | By Ald. Taylor, That the Director of Traffic and Parking consider installing a 30 MINUTE DROP OFF sign for two spaces at the corner of Summer and Spring Sts. during the hours of 8:30—9AM, Monday through Friday, in preparation of the opening of the Agassiz School. | 187570
Approved |
| 32. | Order | By Ald. Taylor, That the Commissioner of Public Works request that NStar install another flood light on the pole at the entrance of the Somerville Home, 117 Summer St. | 187571
Approved |
| 33. | Order | By Ald. Taylor, That the Commissioner of Public Works trim the two trees at the corner of Central and Oxford Sts. | 187572
Approved |
| 34. | Comm. | By President Pero, cancelling the Regular Meetings of this Board scheduled for July 23, 2009, and August 13, 2009. | 187573
Placed on File |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 35. | Committee Report | Report of the Committee on Rules, May 18.
No papers. | 187574
Approved |
| 36. | Committee Report | Report of the Committee on Information Technology, May 21.
No papers. | 187575
Approved |
| 37. | Committee Report | Report of the Committee on Licenses & Permits, May 21. | 187576
Approved as Amended:
#187507 returned to
Licenses & Permits |
| 37A. | Used Car | New Used Car Dealers License Class II, Susan Del Conte dba 1098 Auto Brokers, 1081 Broadway, 0 autos. | 187323
Approved |
| 37B. | Garage | Renewal of Garage License with Amendment, Goodyear Auto Service Center #0354, 1Bow St., 6 autos inside, hours extended Su 9AM-5PM. | 187327
Renewal Approved,
Amendment NOT
Approved |
| 37C. | Garage | Renewal of Garage License, United Auto Repair, 64-68 Joy St., 6 autos inside, 2 outside. | 187329
Approved |
| 37D. | Garage | Renewal of Garage License, Dewire Family Trust, James Dewire Trustee, 139-147 Beacon St., 22 autos inside. | 187330
Approved |

37E.	Garage	Renewal of Garage License, Dewire Family Trust, James Dewire Trustee, 381-383 Washington St., 22 autos inside, 30 outside.	187331 Approved
37F.	Garage	Renewal of Garage License, Dewire Family Trust, James Dewire Trustee, 387 Washington St., 12 autos inside.	187332 Approved
37G.	Garage	Renewal of Garage License, JVM Corporation dba U Call We Haul, 9R Sherman St., 10 autos outside.	187333 Approved
37H.	Garage	Renewal of Garage License, Boston Sand And Gravel Co., 494 Rutherford Ave., 60 autos inside.	187334 Approved
37I.	Garage	Renewal of Garage License, Leins Auto Repairs, 69-71 Bow St., 2 autos inside, 8 outside.	187335 Approved
37J.	Garage	Renewal of Garage License, Mac's Auto Body Inc., 53-55 Russell St., 10 autos inside, 8 outside.	187336 Approved
37K.	Garage	Renewal of Garage License, ABJ Foreign Auto Supply Inc., 91 Marshall St., 3 autos inside, 27 outside.	187339 Approved
37L.	Garage	Renewal of Garage License, J & E Auto Body Inc., 9 Hawkins St., 2 autos inside, 4 outside.	187340 Approved
37M.	Garage	Renewal of Garage License, Hillside Jaquar Inc., 45 Mystic Ave., 10 autos inside.	187341 Approved
37N.	Garage	Renewal of Garage License, Broadway Henry LLC, 28-30 Broadway, 4 autos inside, 6 outside.	187342 Approved
37O.	Garage	Renewal of Garage License, Gene Automotive Repair, 56 Joy St., 10 autos inside, 3 outside.	187343 Approved
37P.	Garage	Renewal of Garage License, Inman Auto Center, 45 Webster Ave., 13 autos inside, 4 outside.	187345 Approved
37Q.	Garage	Renewal of Garage License, C.J. Doherty Inc., 400 Mystic Ave., 400 Mystic Ave., 4 autos inside, 8 outside.	187346 Approved
37R.	Garage	Renewal of Garage License, Chicken & Shakes Automotive, 6A-6B Beach Ave., 8 autos inside.	187347 Approved
37S.	Garage	Renewal of Garage License, U-Haul Co. of Boston Inc., 151 Linwood St., 10 autos inside, 80 outside.	187348 Approved
37T.	Garage	Renewal of Garage License, F.W. Russell & Sons Disposal Inc., 120 McGrath Hwy., 4 autos inside, 21 outside.	187349 Approved

37U.	Garage	Renewal of Garage License, James E. Linaryd dba Jim's Heavy Duty Service, 42 Joy St., 7 autos inside.	187350 Approved
37V.	Garage	Renewal of Garage License, All Rite Auto Inc., 38-42 Medford St., 4 autos inside, 6 outside.	187351 Approved
37W.	Garage	Renewal of Garage License, Walnut Hill Auto Body Inc., 235 Lowell St., 8 autos inside, 2 outside.	187352 Approved
37X.	Garage	Renewal of Garage License, Beacon Sales Co., 50 Webster Ave., 8 autos inside.	187353 Approved
37Y.	Garage	Renewal of Garage License, General Glass and Mirror Corp., 231 Lowell St., 5 autos inside, 5 outside.	187354 Approved
37Z.	Public Occ	Public Event Permit, Holy Ghost Feast, Springfield St. from Houghton St. to Inman Sq., July 10-11, 7PM-Midnite, July 12, 10AM-Midnite.	187366 Approved
37AA.	Flammable	Renewal of Flammables License, Winter Hill Yacht Club, 130R Foley St., 7,000 gallons.	187367 Approved
37AB.	Outdoor Seating	Renewal of Outdoor Seating License, Fu Shen Spa, 258 Elm St., Round sidewalk sign.	187368 Approved
37AC.	Garage	Renewal of Garage License, Flores Auto Repair, 6D Beach Ave., 4 autos inside.	187370 Approved
37AD.	Garage	Renewal of Garage License, Alex Auto Body Inc., 75 Washington St., 5 autos inside, 3 outside.	187371 Approved
37AE.	Garage	Renewal of Garage License, City Auto Service, 13B Joy St., 2 autos inside, 4 outside.	187372 Approved
37AF.	Flammable	Renewal of Flammables License, Simon's Auto Service, 166 Boston Ave., 18,150 gallons.	187385 Approved
37AG.	Flammable	Renewal of Flammables License, A.L. Prime Energy, 73 Summer St., 20,000 gallons.	187386 Approved
37AH.	Outdoor Seating	Renewal of Outdoor Seating License, Amethyst Chiropractic, 259 Elm St., Sandwich board.	187387 Approved
37AI.	Pool Table	Renewal of Pool Table/Bowling Alley License, Davis Sq. Bowladrome Inc., 45 Day St., 8 Tables, 15 Bowling Alleys.	187388 Approved
37AJ.	Livery	Renewal of Livery License, Diamond J. Livery & Limo Trans., 132 Summer St., 1 auto.	187389 Approved

37AK.	Garage	Renewal of Garage License, Rodriguez Auto Repair, 66-68 Joy St., 10 autos inside.	187390 Approved
37AL.	Garage	Renewal of Garage License, Foreign Body Works Inc., 593 Somerville Ave., 10 autos inside.	187392 Approved
37AM.	Junk Dealer	Renewing Junk Dealer License, Prospect Iron & Steel, 40 Bennett St.	187503 Approved
37AN.	Outdoor Seating	New Outdoor Seating License, Highland Kitchen dba High on The Hog Inc., 150 Highland Ave., 2 benches.	187505 Approved
37AO.	Outdoor Seating	New Outdoor Seating License, Diesel Café Inc., 257 Elm St., 1 bench.	187506 Approved
37AP.	Sign	New Sign Permit, Service Bar LLC dba Trina's Starlite Lounge, 1-3a Beacon St., Refacing existing frame.	187507 Returned to Licenses & Permits
37AQ.	Garage	Renewing Garage License, Fred Susan & Sons Auto Repair, 267-269 Somerville Ave., 12 autos inside.	187509 Approved
37AR.	Garage	Renewing Garage License, County Auto Repair Inc., 107 Washington St., 4 autos inside.	187510 Approved
37AS.	Used Car	Renewing Used Car Dealers License Class II, County Auto Repair Inc., 103 Washington St., 5 autos.	187511 Approved
38.	Committee Report	Report of the Committee on Finance as a Committee of the Whole, May 21.	187577 Approved
38A.	Mayor's Request	Requesting approval to transfer \$35,000 in the Traffic and Parking Dept., from the Parking Meter Receipts Acct. to the Repairs to Highway Acct., to fund ongoing thermoplastic line painting citywide.	187486 Approved
38B.	Mayor's Request	Requesting approval to expend \$12,683, raised by the Chamber of Commerce for the city's use in funding the All America City campaign.	187491 Approved
39.	Committee Report	Report of the Committee on Public Health & Safety, May 26.	187578 Approved
39A.	Order	By Ald. White, That the Commissioner of Public Works respond to this Board's Committee on Public Health and Safety re: #187119, tree limbs entangled in wires at 25 Fiske Ave.	187579 Approved, Copy to Public Health & Safety

COMMUNICATIONS OF THE MAYOR

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| 40. | Mayor's Request | Requesting approval to transfer \$25,200 from the Salary Contingency Acct. to the Police Enhanced 911 Other Lump Sum Payments Acct. to fund the collective bargaining agreement with the 911 Call Takers/Dispatchers SEIU Local 888 through 6/30/10. | 187580
Approved |
| 41. | Mayor's Request | Requesting approval to transfer \$1 from the Salary Contingency Acct. to the Police Dept. Salaries Acct. to fund the collective bargaining agreement with the Police Superior Officers Association through 6/30/09. | 187581
Approved |
| 42. | Mayor's Request | Requesting approval to transfer \$1 from the Salary Contingency Acct. to the Police Dept. Salaries Acct. to fund the collective bargaining agreement with the Police Employees Association through 6/30/09. | 187582
Finance |
| 43. | Mayor's Request | Requesting approval to pay a prior year invoice of \$72.88 in the IT Dept. | 187583
Approved |
| 44. | Mayor's Request | Requesting approval to accept a \$2,000,000 grant from the State's Growth District Initiative for construction activity associated with the new Assembly Sq. Drive. | 187584
Approved |
| 45. | Mayor's Request | Requesting the appointment of Steven DaSilva to the Bicycle Advisory Committee. | 187585
Conf. of Appointments |

COMMUNICATIONS OF CITY OFFICERS

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| 46. | Officer's Comm. | Traffic and Parking Director responding to various Board Orders re: Myrtle St. | 187586
Placed on File |
| 47. | Officer's Comm. | Chief Fire Engineer responding to #187457 re: Fire lane on Somerville Ave. Extension. | 187587
Placed on File |
| 48. | Officer's Comm. | Planning Board conveying its recommendation re: #186912, a proposed Zoning Amendment consolidating the Citywide and Assembly Sq. Design Review Committees. | 187588
Placed on File, Copy to Land Use |
| 49. | Officer's Comm. | Planning Board conveying its recommendation re: #187033, a temporary moratorium on development for a portion of the Winter Hill area on Broadway. | 187589
Placed on File, Copy to Land Use |
| 50. | Officer's Comm. | Planning Board conveying its recommendation re: #187139, a proposed Zoning Amendment for a new historic bed and breakfast use. | 187590
Placed on File, Copy to Land Use |

NEW BUSINESS

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| 51. | Public Occ | Public Event Permit, Street Ministry and Music, Davis Sq. Statue Park, Weds. Jun-Oct, 3:30-4:30PM. | 187591
Approved |
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52.	Public Occ	Public Event Permit, High School Car Wash, Concourse, Jun 13, 8:30AM-12:30PM.	187592 Approved
53.	Public Occ	Public Event Permit, Grove St. Block Party, Grove St. between Morrison and Winslow Aves., Jun 13, 12-5PM (raindate Jun 14).	187593 Approved
54.	Public Occ	Public Event Permit, Shabeel Free Drinks Distribution, Union Sq., Jun 20, 8AM-8PM (raindate Jun 27).	187594 Approved
55.	Public Occ	Public Event Permit, Arts Council Presents Joe's Jazz & Blues Fest, Powder House Park, Jun 20, 2-9PM (raindate Jun 21).	187595 Approved
56.	Public Occ	Public Event Permit, Arts Council presents Art Beat Festival, Davis Sq., Jul 17, 5-10PM & Jul 18, 8AM-8PM (raindate Jul 18, 5-10PM & July 19, 8AM-8PM).	187596 Approved
57.	Public Occ	Public Event Permit, High School Car Wash, Concourse, Sep 12, 8:30AM-12:30PM.	187597 Approved
58.	Flammable	Renewal of Flammable License, Somerville Hospital, 230 Highland Ave., 15,000 gallons.	187598 Approved
59.	Flammable	Renewal of Flammable License, Mass Bay Commuter Rail, 70R Third Ave., 393,510 gallons.	187599 Approved
60.	Outdoor Seating	New Outdoor Seating License, PJ Ryans, 239 Holland St., 2 benches, 6 tables & 12 chairs.	187600 Approved
61.	Outdoor Seating	Renewal and Amendment of Outdoor Seating License, Pavan Restaurant Group dba Diva Indian Bistro, 246-248 Elm St., 4 tables, 8 chairs and 1 (new) banner sign.	187601 Licenses & Permits
62.	Outdoor Seating	Renewal of Outdoor Seating License, Sound Bites, 704 Broadway. 4 tables & 16 chairs.	187602 Licenses & Permits
63.	Outdoor Seating	Renewal of Outdoor Seating License, Smart Tan, 258 Elm St., 1 A-frame sign.	187603 Licenses & Permits
64.	Outdoor Seating	Renewal of Outdoor Seating License, Doms Motor Service dba Riverside, 2 Union Sq., 3 motorcycles on sidewalk.	187604 Licenses & Permits
65.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 160-200 McGrath Hwy., 340 autos.	187605 Licenses & Permits
66.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 161 Linwood St., 63 autos.	187606 Licenses & Permits

67.	Outdoor Parking	Renewal of Outdoor Parking License, Pat's Auto Body Inc., 24-30 Day St., 100 autos.	187607 Licenses & Permits
68.	Outdoor Parking	New Outdoor Parking License, Star Market, 275 Beacon St., 3 autos.	187608 Licenses & Permits
69.	Junk Dealer	New Junk Dealer License, La Chic Boutique LLC, 235A Elm St.	187609 Licenses & Permits
70.	Junk Dealer	New Junk Dealer License, Imperial Jewelry, 499 Medford St.	187610 Licenses & Permits
71.	Garage	Renewal of Garage License, Pat's Auto Body Inc., 13-19 Joy St., 22 autos inside, 20 outside.	187611 Licenses & Permits
72.	Garage	Renewal of Garage License, Pat's Auto Body Inc., 161 Linwood St., 25 autos inside.	187612 Licenses & Permits
73.	Garage	Renewal of Garage License, Mass Auto Repair, 631 Somerville Ave., 14 autos inside.	187613 Licenses & Permits
74.	Taxi Med	Renewal of Taxi Medallion, Yung Cab Inc., Med. #15.	187614 Approved
75.	Taxi Med	Renewal of Taxi Medallion, Elysse Corp., Med. #48.	187615 Approved
76.	Taxi Med	Renewal of Taxi Medallion, Madkep Trans., Inc., Med. #64.	187616 Approved
77.	Taxi Med	Renewal of Taxi Medallion, Silva Cab Inc., Med. #83.	187617 Approved
78.	Taxi Med	Renewal of Taxi Medallion, Michael Cab, Inc., Med. #88.	187618 Approved

LATE ITEMS

79.	Mayor's Request	Requesting approval of a transfer of \$88,000 from the E911 PS Acct. to the Police PS Overtime Acct., to cover overtime and contractual obligations.	187619 Finance
80.	Mayor's Request	Requesting approval of an amendment to #135754, originally approved on December 27, 1979, to amend the percentage payable by the City pursuant to MGL c32B s9E.	187620 Moved to Exec. Session, No votes taken in Exec. Session, Approved

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| 81. | Mayor's Request | Requesting approval of a Home Rule Petition authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the City to the Housing Authority. | 187621
Legislative Matters and
Land Use |
| 82. | Officer's Comm. | Police Chief responding to #187413 re: a recent pit bull attack and a proposed Dangerous Dog ordinance. | 187622
Placed on File, Copy to
Legislative Matters |
| 83. | Officer's Comm. | Police Chief responding to #187477 re: the receipt of a GE Mobile Trace device, for detecting explosives and narcotics, under the Homeland Security Grant with Boston. | 187623
Placed on File |
| 84. | Officer's Comm. | Police Chief responding to various Board Orders. | 187624
Placed on File |
| 85. | Resolution | By Ald. Trane, That the President of this Board consider appointing a Special Committee for health care insurance issues. | 187625
Approved |
| 86. | Order | By Ald. Trane and White, That the Director of Personnel consider offering a one plus one health care insurance plan. | 187626
Approved, Copy to
Finance |
| 87. | Order | By Ald. Desmond and Pero, That the Commissioner of Public Works repair or replace the Colonel Samuel Jaques monument at 39-41 Gov. Winthrop Rd. | 187627
Approved |
| 88. | Resolution | By Ald. Roche, Connolly, Pero, Heuston, O'Donovan, Trane, Sullivan and Desmond, In support of the Police Dept. | 187209
Discharged from Public
Health & Safety,
Approved as Amended
(see item) |

Submitted by John J. Long, City Clerk