

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

**MINUTES OF THE REGULAR MEETING**

June 25, 2008, 7:00 PM  
Aldermanic Chambers  
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***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 Bruce M. Desmond, 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.   | 185909<br>Placed on File |
| 2. | Minutes   | Approval of the minutes of the Regular Meeting of May 22, 2008. | 185910<br>Approved       |

**CITATIONS**

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|----|----------|---|--------------------|
| 3. | Citation | By Ald. O'Donovan and the Entire Board, Congratulating Stella Murphy on the happy occasion of her 100 <sup>th</sup> birthday. | 185911<br>Approved |
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**PUBLIC HEARINGS**

None

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

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|----|-------|--|--------------------|
| 4. | Order | By Ald. Roche, That the Commissioner of Public Works fill the sink hole at 17 Everett Ave.                     | 185912<br>Approved |
| 5. | Order | By Ald. Roche, That the Commissioner of Public Works replace all defective lighting around the Capuano School. | 185913<br>Approved |

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| 6.  | Order      | By Ald. Roche, That the Commissioner of Public Works direct the City Arborist to inspect the trees at the Community Garden at the Capuano School to determine if their replacement is warranted.   | 185914<br>Approved  |
| 7.  | Order      | By Ald. Roche, That the Director of SPCD inform the owner of the abandoned property at Florence and Pearl Sts. to treat the standing water there with mosquito repellent.  | 185915<br>Approved  |
| 8.  | Order      | By Ald. Roche, That the Director of Traffic and Parking determine a solution for the signage SCHOOL DROP OFF ZONE 7:30-4:30 at the Capuano School on Glen St., to allow more than the currently allotted 5 minutes for parents to park and bring their children into class.      | 185916<br>Approved  |
| 9.  | Order      | By Ald. Desmond and Taylor, That the Chief Fire Engineer inspect Silvey Place and determine if parking is feasible on both sides, while allowing emergency vehicles to pass.   | 185917<br>Approved  |
| 10. | Order      | By Ald. Desmond and Taylor, That the Director of SPCD inspect 19 Craigie St. for overgrown bushes and debris and issue citations as necessary.   | 185918<br>Approved  |
| 11. | Order      | By Ald. White and Gewirtz, That the Director of SPCD provide this Board with a list of all linkage payments made to the Affordable Housing Trust Fund over the last 5 years, including the name of the developer, the location of the development and the amount of the payment. | 185919<br>Approved, Copy to<br>Housing & Community<br>Development |
| 12. | Order      | By Ald. White, Gewirtz, Trane and Sullivan, That the Director of Traffic and Parking examine the curb cuts described within to determine whether they are in compliance with safety and accessibility standards.   | 185920<br>Approved  |
| 13. | Order      | By Ald. Gewirtz, That the Director of Planning advise the Ward 6 Alderman of the mechanisms to rezone College Ave. at the Powderhouse Rotary to accommodate business uses while respecting the neighborhood quality of the area.   | 185921<br>Approved  |
| 14. | Resolution | By Ald. Gewirtz, In support of the Tufts University janitors.  | 185922<br>Laid on Table via<br>Sec.15 by Ald. Trane               |
| 15. | Order      | By Ald. O'Donovan, That the Chief of Police order directed patrols nightly at Albion and Lexington Parks.  | 185923<br>Approved  |
| 16. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works install additional trash receptacles on Cedar St.   | 185924<br>Approved  |
| 17. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works plant additional trees on Cedar St.   | 185925<br>Approved  |

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| 18. | Order | By Ald. O'Donovan, That the Commissioner of Public Works install NO LITTERING signs on Cedar St.  | 185926<br>Approved       |
| 19. | Order | By Ald. Taylor, That the Commissioner of Public Works update the Ward 3 Alderman on negotiations with NStar to replace trees on Warren Ave. | 185927<br>Approved       |
| 20. | Comm  | By President Sullivan, Canceling the Regular meetings of this Board previously scheduled for July 24 and Aug. 14.                           | 185928<br>Placed on File |

**UNFINISHED BUSINESS**

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|-----|-----------------|--|---|
| 21. | Mayor's Request | Requesting approval of a proposed Minimum Maintenance Standards Ordinance (formerly called the Demolition by Neglect Ordinance). | 185823<br>Removed From Table,<br>Approved, Enrolled &<br>Ordained |
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**REPORTS OF COMMITTEES**

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| 22.  | Committee Report  | Report of the Committee on Finance, June 10-23.   | 185929<br>Approved |
| 22A. | 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<br>Approved |
| 22B. | Mayor's Request   | Requesting approval to expend a grant of \$4,880.64 from the Boston Mayor's Office of Emergency Preparedness to the Fire Dept. to cover overtime/back costs for Fire personnel training.                        | 185715<br>Approved |
| 22C. | Officer's Request | City Clerk submitting recommendations for adjustments to certain fees charged by the City Clerk's Office, effective July 1, 2008.   | 185721<br>Approved |
| 22D. | Mayor's Request   | Requesting approval of a lease for the West Somerville Police Substation at 1154 Broadway for \$32,136/year.  | 185825<br>Approved |
| 22E. | Mayor's Request   | Requesting approval to appropriate \$3,500,000 from Free Cash to reduce the FY2009 tax levy.  | 185826<br>Approved |
| 22F. | Mayor's Request   | Requesting approval to authorize the Summer Revolving Fund for FY09 under MGL d Ch.44 Sec.53½.  | 185827<br>Approved |
| 22G. | Mayor's Request   | Requesting approval to authorize the Youth Revolving Fund for FY09 under MGL d Ch.44 Sec.53½.   | 185828<br>Approved |
| 22H. | Mayor's Request   | Requesting approval to reauthorize twelve Departmental Revolving Funds for FY09 under MGL Ch.44 Sec.53E½.   | 185829<br>Approved |

22I.	Mayor's Request	Requesting approval to appropriate \$15,000 from Free Cash for a real estate analysis of the possible disposition or reuse of the Powder House School structure and site.	185831 Approved
22J.	Mayor's Request	Requesting approval to transfer \$382,500 from the Interest on Long Term Debt Acct. (\$287,975) and the Interest on Notes–BAN Acct. (\$94,525) to the Snow Removal Acct.	185832 Approved
22K.	Mayor's Request	Requesting approval to transfer \$337,700 from the Police Salaries Acct. to various OM and Capital Accts. to fund Police equipment and supplies.	185833 Approved
22L.	Mayor's Request	Requesting approval to transfer \$90,000 from the Council on Aging Rental Buildings Acct. to the Fire PS Overtime Acct.	185834 Approved
22M.	Mayor's Request	Requesting approval to transfer \$13,118 from the Interest on Notes-BAN Acct. to the Building Insurance Acct.	185835 Approved
22N.	Mayor's Request	Requesting approval to transfer \$7,462 from the Council on Aging Rental Buildings Acct. to the Clerk of Committees Salaries Monthly Acct.	185836 Approved
22O.	Mayor's Request	Requesting approval to transfer \$1,680 from the Interest on Notes–BAN Acct. (\$456) and the Council on Aging Rental-Buildings Acct. (\$1,224) to the Veterans Services Veterans Benefits Acct.	185837 Approved
22P.	Mayor's Request	Requesting approval to appropriate \$2,000,000 from Free Cash to the Capital Projects Stabilization Fund to fund necessary capital improvements in FY09.	185906 Approved
22Q.	Mayor's Request	Requesting approval to appropriate \$600,000 from Free Cash to the Assembly Square Stabilization Fund to fund necessary park rehabilitation and improvement projects.	185907 Approved
22R.	Mayor's Request	Requesting approval to appropriate \$159,134 from the Capital Projects Stabilization Fund to the Capuano School Projects Acct. to supplement existing funding for the renovation of the Capuano School Soccer Field.	185908 Approved
22S.	Resolution	By Ald. Sullivan, Gerwitz and White, That this Board requests that the Administration hire a full time ADA Coordinator.	185930 Approved
22T.	Order	By Ald. Heuston, That the Commissioner of Public Works provide this Board with an update on the ESCO contract.	185931 Approved
22U.	Order	By Ald. Heuston, That the Director of Constituent Services provide the Aldermen with an email notification as each work order is closed in their respective ward.	185932 Approved

22V.	Order	By Ald. Heuston, That the Director of SPCD provide each Alderman with 24 hour contact information for Inspectional Services inspectors.	185933 Approved
22W.	Resolution	By Ald. Pero, Trane and Connolly, That this Board requests that the Mayor provide FY09 funding for the continuation of a part-time Outreach Coordinator in the Youth program.	185934 Approved
22X.	Resolution	By Ald. Gewirtz, That the Administration provide this Board with specific information regarding the owners of the property where the city plans to rent the West Somerville Police sub-station and explain the rationale for the cost.	185935 Approved
22Y.	Order	By Ald. Gewirtz, That this Board submit a request for inclusion in the FY10 budget for an Administrative Asst. to this Board to assist members with analyzing additional funding requests from the Administration through the year.	185936 Approved
22Z.	Order	By Ald. Gewirtz, Heuston and Trane, That the Commissioner of Public Works in coordination with the Administration, the Committee on Environment & Energy and the Environmental Program manager, create a concrete 5-year plan outlining fuel and oil cost projections.	185937 Approved, Copy to Environment & Energy
22AA.	Resolution	By Ald. Trane, That this Board goes on record in support of the Administration's efforts to consolidate and/or regionalize the E-911 and Fire Alarm operations.	185938 Approved
22AB.	Resolution	By Ald. Taylor, That this Board requests that the Administration continue to develop additional off-leash dog runs in the city.	185939 Approved
22AC.	Resolution	By Ald. Trane, That this Board joins with other city employees and accepts an 80/20 split on health insurance.	185940 Approved
22AD.	Order	By Ald. Desmond, That the SPCD Director of Finance and Administration explain the apparent discrepancies in the SPCD budget as referenced during the FY09 public hearing.	185941 Approved
23.	Committee Report	Report of the Committee on Land Use, June 18.	185942 Approved
23A.	Mayor's Request	Requesting the approval of amendments to the Zoning Ordinance to clarify the authority of the Planning Board in Planned Unit Development applications and districts.	185375 Approved, Enrolled & Ordained
23B.	Mayor's Request	Requesting the approval of amendments to the Zoning Ordinance to require the removal of abandoned satellite dishes.	185376 Approved, Enrolled & Ordained

**COMMUNICATIONS OF THE MAYOR**

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| 24. | Mayor's Request | Requesting a revised appropriation of \$165,020,652 to fund the operating budget for the city for FY 2009.  | 185943<br>Approved                          |
| 25. | Mayor's Request | Requesting a revised appropriation of \$14,680,383 to fund the Sewer Enterprise Fund budget for FY 2009.  | 185944<br>Approved                          |
| 26. | Mayor's Request | Requesting a transfer of \$267,825 from the Salary Contingency Acct. to the Police Salaries Acct. for retroactive adjustments under the Agreement with the Police Superior Officers Assn. from FY06 to 3/14/08.                     | 185945<br>Finance                           |
| 27. | Mayor's Request | Requesting a transfer of \$107,835 in the Sewer Dept., from MWRA Assessments to Debt Service.   | 185946<br>Approved                          |
| 28. | Mayor's Request | Requesting a transfer of \$14,831 from the Salary Contingency Acct. to the Office of Sustainability and Environment Salaries Acct. to fund the new Director's revised salary of \$80,000.   | 185947<br>Finance and Conf. of Appointments |
| 29. | Mayor's Request | Requesting a transfer of \$2,353 in the Water Dept., from Water Service Replacements to MWRA Assessments.   | 185948<br>Approved                          |
| 30. | Mayor's Request | Requesting approval for a donation of \$8,000 from Federal Realty Investment Trust for Youth Summer Jobs Programming and other summer programs.   | 185949<br>Finance                           |
| 31. | Mayor's Request | Requesting approval for donations totaling \$895 from Dean's Concessions, the Somerville YMCA, and Target for the city's annual Family Fun Day on June 28.  | 185950<br>Approved                          |
| 32. | Mayor's Request | Requesting approval for a Non-Exclusive Trademark License agreement allowing TWH Collectibles to make a scale replica of the city's new Seagrave Tractor-Drawn Aerial Ladder Truck.   | 185951<br>Finance                           |
| 33. | Mayor's Comm    | Conveying the City's FY09 Capital Investment Plan.  | 185952<br>Finance and Capital Planning      |
| 34. | Mayor's Comm.   | Announcing the 5 <sup>th</sup> year of "Summertime In Somerville," with Fireworks on June 26 (raindate July 5), and Family Fun Day on June 28 (raindate July 6), both at Trum Field, and conveying certain necessary road closures. | 185953<br>Placed on File                    |

**COMMUNICATIONS OF CITY OFFICERS**

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| 35. | Officer's Comm | Asst. City Solicitor responding to #185799 re: Double Utility Poles. | 185954<br>Placed on File, Copy to Legislative Matters and Public Utilities & Works |
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| 36. | Officer's<br>Comm | Chief of Police responding to various Board Orders.                                      | 185955<br>Placed on File |
| 37. | Officer's<br>Comm | City Clerk conveying updated Rules of the Board of Aldermen as adopted on June 12, 2008. | 185956<br>Placed on File |

**NEW BUSINESS**

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|-----|--------------------|--|---|
| 38. | Public Occ         | Public Occupancy Permit, Somerville Sunsetters, Various locations, Mon-Thu evenings from June 30-August 21.              | 185957<br>Approved  |
| 39. | Public Occ         | Public Occupancy Permit, Haptu Family Birthday Party, Conway Park, July 13, 10AM-1PM (raindate July 20).                 | 185958<br>Approved  |
| 40. | Public Occ         | Public Occupancy Permit, SCAT Member Picnic, Growing Center & Nunziato Field, Aug. 19, 5:30-8PM.                         | 185959<br>Approved  |
| 41. | Public Occ         | Public Occupancy Permit, Somerville Garden Club, plant sale, Davis Square Statue Park, Sept. 20, 7AM-2PM.                | 185960<br>Approved  |
| 42. | Public Occ         | Public Occupancy Permit, Honk Festival, Davis Square, Oct. 11, 12noon-7PM & Oct. 12, 12noon-1PM.                         | 185961<br>Approved  |
| 43. | Outdoor<br>Parking | Renewal of Outdoor Parking License, Martha Lee Trust, 147 Highland Ave., 15 autos.                                       | 185962<br>Licenses & Permits  |
| 44. | Hawker<br>Peddler  | New Hawker/Peddler License, Bernie Auch/SHS Class of 2007, Selling slush citywide to raise funds for scholarships.       | 185963<br>Approved  |
| 45. | Sign               | New Sign/Awning Permit, CPCU Credit Union, 493 Somerville Ave., Sign.  | 185964<br>Approved  |
| 46. | Used Car           | New Used Car Dealers License Class II, Elias & Abe Auto Repair Inc. dba Broadway Sunoco, 258 Broadway, 14 autos outside. | 185965<br>Licenses & Permits  |
| 47. | Comm.              | MBTA Deputy Director of Planning responding to #185663 re: Proposed MBTA Green Line Maintenance Facility.                | 185966<br>Placed on File, Copy to<br>Housing & Community<br>Development |
| 48. | Comm.              | MBTA responding to #185577 re: Bike racks at Davis Square Station.   | 185967<br>Placed on File  |

**LATE ITEMS**

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|-----|----------|--|--------------------|
| 49. | Citation | By Ald. Roche, Sullivan and the Entire Board, Commending Daniel Hayes, Owner of Good Time Emporium, for his generous support of Somerville's nonprofit community over the last 18 years. | 185968<br>Approved |
|-----|----------|--|--------------------|

50.	Mayor's Request	Requesting an appropriation of \$10,635,343 to fund the Water Enterprise Fund budget for FY 2009.	185776 Discharged from Finance, Approved
51.	Mayor's Request	Requesting approval to appropriate \$20,000 from Free Cash to the Police Detail Revolving Fund for the city's portion of detail expenses incurred 12/27/07 at Russell Disposal Co.	185262 Discharged from Finance, Met in Exec. Session – no votes taken, Approved, Ald. Gewirtz opposed
52.	Sign	New Sign/Awning Permit, Maya Sol Mexican Grill LLC, 179 Broadway, Sign.	185870 Discharged From Licenses & Permits, Approved
53.	Order	By Ald. White and the Entire Board, That the City Clerk notify Terry English, FAA project manager for the Boston Logan Airport Noise Study Phase Two, that the Board supports the proposed noise remediation of the Community Advisory Committee that extends runway 33L takeoffs to a new point near Wellington Station.	185800 Discharged From Public Health & Safety, Approved as Amended within
54.	Mayor's Request	Requesting the appointment of James DiFraia as Constable.	185970 Approved
55.	Mayor's Request	Requesting the appointment of Josh Safdie as an Alternate member of the Zoning Board of Appeals.	185971 Conf. of Appointments
56.	Garage	New Garage License, Samay, Inc., dba Somerville Gas, 73 Summer St., 2 autos inside & 10 outside, Mon-Sat, 8AM-6:30PM.	185972 Licenses & Permits

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