

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

**MINUTES OF THE REGULAR MEETING**

July 10, 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 John M. Connolly, Bruce M. Desmond, William A. White Jr., 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.  | 185973<br>Placed on File |
| 2. | Minutes   | Approval of the minutes of the Special Meeting of June 10, 2008, and the Regular Meeting of June 12, 2008. | 185974<br>Approved       |

**CITATIONS**

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|----|----------|---|--------------------|
| 3. | Citation | By Ald. O'Donovan, Trane and the Entire Board, Commending Marine Corporal Paul Savage, a lifelong Somervillian who was recently injured by a roadside bomb in Afghanistan while serving his 3 <sup>rd</sup> tour of duty. | 185975<br>Approved |
| 4. | Citation | By Entire Board, Commending Senior Draftsman Fred Lund who is retiring after 55 years of dedicated service to the City.   | 185976<br>Approved |

**PUBLIC HEARINGS**

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| 5. | Grant of Location | Lighttower Communications for a grant of location to install 89 feet of conduit at 425 Broadway.                | 185977<br>Licenses & Permits  |
| 6. | Grant of Location | Lighttower Communications for a grant of location to install 27 feet of conduit in Beacon St. at Sacramento St. | 185978<br>Approved w/conditions:<br>Ample advance notice to abutters; No blocking driveways; Police detail required |

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|----|-------------------|---|--------------------|
| 7. | Grant of Location | NStar Electric for a grant of location to install 7,862 feet of conduit and 14 manholes in Somerville Ave. between Porter Sq. and Union Sq. | 185979<br>Approved |
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**ORDERS, ORDINANCES, RESOLUTIONS  
AND MOTIONS OF MEMBERS**

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| 8.  | Order      | By Ald. Roche, That the Commissioner of Public Works consider installing lighting to illuminate the trees in the median strip of Broadway from Walnut St. to Sullivan Sq.   | 185980<br>Approved                           |
| 9.  | Order      | By Ald. Roche, That the Chief of Police monitor the No Right Turn From 4–6 PM restriction on Pearl St. at Jasper St. and on McGrath Hwy. at Bonair St.  | 185981<br>Approved                           |
| 10. | Order      | By Ald. Roche, That the Director of Traffic and Parking work with state officials for better placement of the NO TURN ON RED sign at Broadway and McGrath Hwy. heading west.  | 185982<br>Approved                           |
| 11. | Resolution | By Ald. Roche, That this Board requests that the MBTA’s Assistant Director of Planning consider relocating the proposed Brickbottom Green Line stop from Joy St. to New Washington St. to better accommodate senior citizens at the Cobble Hill Apts. and all the residents of East Somerville. | 185983<br>Housing & Community<br>Development |
| 12. | Order      | By Ald. Roche, That the Commissioner of Public Works and the Director of SPCD request of DCR that the landscaping along McGrath Hwy. from Medford St. to Broadway be on a regular maintenance schedule.   | 185984<br>Approved                           |
| 13. | Order      | By Ald. Connolly, That the Commissioner of Public Works repair or replace the uplifted sidewalk panel outside the Dilboy Post on Summer St., near the parking lot entrance.   | 185985<br>Approved                           |
| 14. | Order      | By Ald. Connolly, That the Commissioner of Public Works arrange for the excavation for flagpoles donated by the Somerville Kiwanis Club, at locations described within.   | 185986<br>Approved                           |
| 15. | Order      | By Ald. Connolly and Gewirtz, That the Commissioner of Public Works repair or replace the loose panel on the handicap ramp to the traffic island at Day and Elm Sts. opposite the Singer Sewing Center.   | 185987<br>Approved                           |
| 16. | Resolution | By Ald. Connolly and the Entire Board, That this Board commends the Chief of Police and the entire Police Dept. for their swift action following a July 6 assault in West Somerville, leading to the arrest of the perpetrator on July 7.   | 185988<br>Approved                           |

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| 17. | Order | By Ald. O'Donovan, That the Commissioner of Public Works trim the tree at 17 Norwood Ave. as it poses a safety risk due to entangled wires.   | 185989<br>Approved                                    |
| 18. | Order | By Ald. O'Donovan, That the Chief of Police dispatch the Ward 5 patrol car to the CVS parking lot in Magoun Sq. between 6:30 and 8:00 AM daily, to stop unruly contractors from taking over the parking lot and intimidating residents. | 185990<br>Approved, Copy to<br>Public Health & Safety |
| 19. | Order | By Ald. O'Donovan, Pero and White, That the Chief of Police enforce the Noise Ordinance at the corner of Central St. and Broadway as a result of church services.   | 185991<br>Approved                                    |
| 20. | Order | By Ald. O'Donovan, That the Director of Traffic and Parking place large RESIDENT PARKING ONLY signs on Woodbine and Centre Sts.   | 185992<br>Approved                                    |
| 21. | Order | By Ald. O'Donovan, That the Commissioner of Public Works repair the sidewalk at 83 Josephine Ave.   | 185993<br>Approved                                    |
| 22. | Order | By Ald. O'Donovan, That the Chief of Police order a directed patrol around Albion Park between 9 PM and 2 AM on a very consistent basis.  | 185994<br>Approved                                    |
| 23. | Order | By Ald. O'Donovan, That the Commissioner of Public Works enhance the landscaping on the Cherry St. side of the Kennedy Elementary School.   | 185995<br>Approved                                    |
| 24. | Order | By Ald. O'Donovan, That the Director of Communications add the date and time of each city event shown on cable TV so viewers know if the program is live or a repeat broadcast.   | 185996<br>Approved                                    |
| 25. | Order | By Ald. Gewirtz, That the Commissioner of Public Works, in coordination with the MBTA, place trash barrels and recycling containers at Seven Hills Park.  | 185997<br>Approved, Copy to<br>Public Health & Safety |
| 26. | Order | By Ald. Gewirtz, That the Commissioner of Public Works plant trees on Josephine Ave. and Burnside Ave.  | 185998<br>Approved                                    |

**UNFINISHED BUSINESS**

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| 27. | Resolution | By Ald. Gewirtz, In support of the Tufts University janitors. (This Item was tabled via Section 15/Rule 48 during a challenge to the Presiding Officer's ruling that it has a direct bearing on the business of the Board.) | 185922<br>Laid on Table |
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**REPORTS OF COMMITTEES**

28.	Committee Report of the Committee on Legislative Matters, July 8. Report	185999 Report Severed: All Items Approved, Ald. Pero opposed to #185859
28A.	Ordinance By Ald. Gewirtz, Proposing the adoption of a plastic bag recycling program similar to one initiated by the New York City Council in Jan., 2008, to require stores of 5,000 sq. ft. or more to provide plastic bag recycling on premises.	185121 Placed on File
28B.	Officer's Comm. Asst. City Solicitor submitting a draft Ordinance establishing an at-store recycling program for plastic bags.	185859 Approved w/Ald. Pero opposed, Enrolled & Ordained
28C.	Order By Ald. Trane and Desmond, That no further permits be issued to any utility unless it reduces the number of double poles in the city by 50% within the next 45 days.	186000 Approved, Copy to Licenses & Permits
28D.	Resolution By Ald. Gewirtz, That this Board urges NStar Gas to reach an agreement with the DPW to resolve gas related tree damage within the next 30 days.	186001 Approved
29.	Committee Report of the Committee on Finance, July 9. Report	186002 Approved
29A.	Mayor's Request Requesting approval of a \$400,000 appropriation for Building Improvements to the High School to remediate the fuel oil release from two underground storage tanks, and authorization to borrow \$400,000 with a bond.	182607 Placed on File
29B.	Mayor's Request Requesting an appropriation of \$158,040,021 to fund the operating budget for the city for FY 2008.	183515 Placed on File
29C.	Mayor's Request Requesting approval to transfer \$50,000 from the Health Insurance Acct. to the Damage to Persons and Property Judgments/Settlements of Claims Acct. to satisfy claims against the City for the remainder of FY07.	183642 Placed on File
29D.	Officer's Request Tax Collector requesting approval of her Tax Collector Public Official Bond.	184488 Placed on File
29E.	Mayor's Request Requesting approval of a 1-year extension of the recycling contract with Langton and Douglas/F.W. Russell and Sons.	184726 Placed on File
29F.	Officer's Comm. Director of SPCD submitting information regarding Finance and Administration Division staffing.	185314 Placed on File

29G.	Mayor's Request	Requesting approval to expend a grant of \$101,000 from the MA Dept. of Public Health to the Public Health Dept. to subsidize the School Nursing Program.	185713 Approved
29H.	Mayor's Request	Requesting an appropriation of \$165,097,540 to fund the operating budget for the city for FY 2009.	185774 Placed on File
29I.	Mayor's Request	Requesting an appropriation of \$14,720,719 to fund the Sewer Enterprise Fund budget for FY 2009.	185775 Placed on File
29J.	Mayor's Request	Requesting approval to appropriate \$4,400,000 to purchase and install water meters and authorize issuance of a bond to meet the appropriation.	185830 Approved
29K.	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 Approved
29L.	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 Approved
29M.	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 Approved
30.	Committee Report	Report of the Committee on Licenses & Permits, July 9.	186003 Approved
30A.	Extended Hrs	Renewal of Extended Hours License, Hess Corp., 709 McGrath Hwy., 24/7.	185648 Approved
30B.	Extended Hrs	New Extended Hours License, Golden Light Restaurant, 24 College Ave., Su-Th 4PM-2AM, Fr-Sa 4PM-2:30AM.	185745 Approved only for Fr-Sa nights until 1AM
30C.	Public Occ	Public Occupancy Permit, Emanuel Medeiros musical performances, Davis Sq. Statue Park, various dates between June 13 and Aug. 29, 7-10PM.	185862 Approved
30D.	Sign	New Sign/Awning Permit, 74 LTD dba Snappy Sushi, 420 Highland Ave., 2 signs.	185871 Approved
30E.	Garage	Renewal of Garage License, C.J. Doherty Inc., 400 Mystic Ave., 4 autos inside, 8 outside.	185874 Approved
30F.	Garage	Renewal of Garage License, Fred M. Susan & Sons Auto Repair, 267-269 Somerville Ave., 12 autos inside.	185875 Approved

30G.	Garage	Renewal of Garage License, Henley Enterprises Inc. dba Valvoline, 182 Washington St., 3 autos inside, 3 outside.	185876 Approved
30H.	Garage	Renewal of Garage License, Foreign Body Works Inc., 593 Somerville Ave., 10 autos inside.	185877 Approved
30I.	Outdoor Parking	Renewal of Outdoor Parking License, Martha Lee Trust, 147 Highland Ave., 15 autos.	185962 Approved
31.	Committee Report	Report of the Committees on Licenses & Permits and Public Utilities & Public Works meeting jointly, July 9. No papers.	186004 Approved

**COMMUNICATIONS OF THE MAYOR**

32.	Mayor's Request	Requesting approval to move the voting location for Ward 7, Precinct 3 from the Capen Court Community Center to the West Somerville Neighborhood School on the Raymond Ave. side.	186005 Approved
33.	Mayor's Request	Requesting approval to move the voting location for Ward 2, Precinct 2 from the Hagan Manor to the Argenziano School.	186006 Approved
34.	Mayor's Request	Requesting approval to appoint James Shea and Choate, Hall and Stewart LLP as outside counsel for the City.	186007 Approved w/conditions: For real estate development matters only
35.	Mayor's Request	Requesting approval of an amendment to #184669, which declared 3 city owned Davis Sq. parcels available for disposition, to reflect new property values.	186008 Finance
36.	Mayor's Request	Requesting approval for SPCD to appropriate \$296,367 from the Traffic Stabilization Fund to initiate seven projects for the Safe Start Program.	186009 Finance, Public Health & Safety, Traffic & Parking
37.	Mayor's Request	Requesting approval to appropriate \$200,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to install decorative benches and barrels.	186010 Finance and Capital Planning
38.	Mayor's Request	Requesting approval for SPCD to appropriate \$89,750 from the Capital Projects Stabilization Fund for the city's share of the Union Square Transportation Study.	186011 Approved
39.	Mayor's Request	Requesting approval to appropriate \$76,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to seal, coat and paint various school playgrounds.	186012 Finance and Capital Planning

40.	Mayor's Request	Requesting approval to appropriate \$50,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to reconstruct private ways.	186013 Finance and Capital Planning
41.	Mayor's Request	Requesting approval to appropriate \$20,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to install bulletin boards at parks and playgrounds.	186014 Finance and Capital Planning
42.	Mayor's Request	Requesting approval to appropriate \$20,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to install a new water heater at the Healey School.	186015 Finance and Capital Planning
43.	Mayor's Request	Requesting approval to appropriate \$20,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the to install a new water heater at the Kennedy School.	186016 Finance and Capital Planning
44.	Mayor's Request	Requesting approval to appropriate \$12,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to purchase a jack hammer kit for the skid steer bobcat.	186017 Finance and Capital Planning
45.	Mayor's Request	Requesting approval to appropriate \$6,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to purchase two 8" spare plow blades.	186018 Finance and Capital Planning
46.	Mayor's Request	Requesting approval to appropriate \$5,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to purchase a trailer for the skid steer bobcat.	186019 Finance and Capital Planning
47.	Mayor's Request	Requesting approval to appropriate \$3,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to purchase a John Deere plow attachment.	196020 Finance and Capital Planning
48.	Mayor's Request	Requesting approval to appropriate \$700 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the DPW to purchase forks for the skid steer bobcat.	186021 Finance and Capital Planning
49.	Mayor's Request	Requesting approval to expend a grant of \$50,000 from the MA Technology Collaborative for a renewable energy project at the Argenziano School.	186022 Finance
50.	Mayor's Request	Requesting approval for expend a donation of \$1,000 from Boston Productions to support youth activities.	186023 Approved

51.	Mayor's Request	Requesting the appointment of Edward Mostone as Constable.	186024 Conf. of Appointments
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**COMMUNICATIONS OF CITY OFFICERS**

52.	Officer's Comm	Asst. City Solicitor submitting a draft Ordinance for Tree Preservation.	186025 Legislative Matters
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53.	Officer's Comm	Chief of Police responding to various Board Orders.	186026 Placed on File
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54.	Officer's Comm	Director of SPCD responding to various Board Orders.	186027 Placed on File
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**NEW BUSINESS**

55.	Public Occ	Public Occupancy Permit, Philadelphie SDA Church/Lions Club Canning, Various locations, July 24 & Aug. 7, 5PM-7:30PM. (raindate July 31 & Aug. 14).	186028 Approved
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56.	Public Occ	Public Occupancy Permit, Open Air Circus Summer Performance, Nunziato Field, July 31-Aug. 3.	186029 Approved
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57.	Public Occ	Public Occupancy Permit, St. James Ave. Block Party, Aug. 3, 3-7PM.	186030 Approved
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58.	Public Occ	Public Occupancy Permit, Lexington Ave. Block Party, Aug. 16, Noon-8PM (raindate Aug. 23).	186031 Approved
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59.	Public Occ	Public Occupancy Permit, Irving St. Block Party, Sept. 6, Noon-6PM (raindate Sept. 7).	186032 Approved
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60.	Public Occ	Public Occupancy Permit, Prospect Hill Block Party, Munroe St. between Prospect Hill Ave. and Bigelow St., Sept. 13, 4-8PM (raindate Sept. 14).	186033 Approved
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61.	Public Occ	Public Occupancy Permit, Honk Festival, Davis Sq., extending approved (#185961) hours to 9PM on Oct. 11.	186034 Approved
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62.	Drainlayer	New Drain Layer's License, E.B. Rotondi & Sons Inc.	186035 Approved
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63.	Garage	Renewal of Garage License, A Plus Autobody Inc., 295 Medford St., 20 autos inside, 11 outside.	186036 Licenses & Permits
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64.	Garage	Renewal of Garage License, A Plus Autobody Inc., 297 Medford St., 10 autos inside.	186037 Licenses & Permits
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65.	Garage	Renewal of Garage License, Mike's Automotive Services Inc., 298 Somerville Ave., 10 autos inside, 10 outside.	186038 Licenses & Permits
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66.	Comm.	State Senator Galluccio and State Delegation re: Designating the Innerbelt and Washington St. area a "Growth District".	186039 Placed on File
67.	Comm.	Representative Provost responding to #185577 & 185694 re: Installing bike racks at the Davis Sq. and Sullivan Sq. MBTA stations.	186040 Placed on File
<b><u>LATE ITEMS</u></b>			
68.	Order	By Ald. Trane, That the Commissioner of Public Works begin a tree planting program along Powderhouse Blvd.	186041 Approved
69.	Order	By Ald. Heuston, That the Director of SPCD report to this Board the compliance rate of the Plastic Bag Recycling Ordinance six months after its enactment.	186042 Approved
70.	Order	By Ald. Heuston, That the Director of SPCD provide store owners with applicable laws and regulations pursuant to the Plastic Bag Recycling Ordinance.	186043 Approved
71.	Mayor's Request	Requesting to appropriate \$41,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for DPW to purchase a tree chipper.	186044 Finance and Capital Planning
72.	Mayor's Request	Requesting to appropriate \$15,000 from the Capital Projects Stabilization Fund as part of the FY09 Capital Investment Plan for the IT Dept. to install a screen and projector in the Aldermen's Chambers.	186045 Finance and Capital Planning
73.	Officer's Comm.	Chief Fire Engineer responding to #185917 re: parking at Silvey Place.	186046 Placed on File
74.	Public Occ	Public Occupancy Permit, Altema and Noel Wedding at the College Ave. Methodist Church, 14 Chapel St., Sept. 6, 2:45-5:45 PM.	186047 Approved
75.	Comm.	MA State Lottery Commission informing the Board that Hodgkins Spa, 99 Holland St., has applied for a Keno license.	186048 Placed on File
76.	Comm.	Representative Sciortino re: support of the Tufts janitors.	186049 Placed on File

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