

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

MINUTES OF THE REGULAR MEETING

October 8, 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

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. | 188208
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of September 10, 2009. | 188209
Approved |

CITATIONS

None

PUBLIC HEARINGS

- | | | | |
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| 3. | Grant of Location | NStar Electric for a Grant of Location to install 5 feet of conduit at 42 Craigie St. | 188210
Approved, Ald. Roche & O'Donovan recused |
| 4. | Grant of Location | NStar Electric for a Grant of Location to install 40 feet of conduit in Trull St., from Pole 339/8 to 492 Medford St. | 188211
Approved, Ald. Roche recused |
| 5. | Grant of Location | RCN for a Grant of Location to install 8 feet of conduit on Beacon St., from Pole 142/28 to 221-223 Beacon St. | 188212
Approved |
| 6. | Grant of Location | Comcast for a Grant of Location to install 8 feet of conduit on Beacon St., from Pole 142/28 to 221-223 Beacon St. | 188213
Approved |

7.	Grant of Location	Verizon for a Grant of Location to install 8 feet of conduit on Beacon St., from Pole 142/28 to 221-223 Beacon St.	188214 Approved
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**ORDERS, ORDINANCES, RESOLUTIONS
AND MOTIONS OF MEMBERS**

8.	Order	By Ald. Taylor, That the Director of SPCD enforce Ordinance 9-48, which deals with the posting of signs on public property, including utility poles.	188215 Approved
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9.	Order	By Ald. Taylor, That the Commissioner of Public Works repave Belmont Place. (3rd request)	188216 Approved
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10.	Order	By Ald. Heuston, That the Chief Fire Engineer and the Director of SPCD inform the Market Basket on Somerville Ave. to keep fire lanes clear of vehicles and shopping carts.	188217 Approved
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11.	Order	By Ald. Heuston, That the Commissioner of Public Works plant two trees at 111 and 113 Prospect St.	188218 Approved
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12.	Order	By Ald. Heuston, That the Chief Fire Engineer and the Commissioner of Public Works replace all faded or missing fire lane markings and signage on Park Place.	188219 Approved
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13.	Order	By Ald. Heuston, That the Commissioner of Public Works place barrels and benches on Joy St. at Washington St., and at the intersection of Joy, Chestnut and Poplar Sts.	188220 Approved
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14.	Order	By Ald. Heuston, That the Commissioner of Public Works trim the grass along Joy St.	188221 Approved
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15.	Order	By Ald. Heuston, That the Commissioner of Public Works place a bicycle rack at Petsie's Pies, 285 Beacon St.	188222 Approved
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16.	Order	By Ald. Heuston, That the Commissioner of Public Works review the construction of the ADA crossing ramps at Sacramento and Beacon Sts.	188223 Approved
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17.	Order	By Ald. Sullivan, That the Office of Somerville Commissions report back to this Board on the feasibility of implementing public domestic violence policies.	188224 Approved
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18.	Order	By Ald. O'Donovan, That the Director of SPCD forward the demolition plan for the Maxpak site to this Board's Committee on Public Health & Safety.	188225 Approved, Copy to Public Health & Safety
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19.	Order	By Ald. O'Donovan, That this Board's Committee on Public Utilities & Works meet with NStar to discuss removing the double pole on Clyde St.	188226 Approved, Copy to Public Utilities & Works
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| 20. | Order | By Ald. O'Donovan and Gewirtz, That the Environmental Programs Manager meet with this Board to discuss the contamination issue on the Community Path. | 188227
Approved, Copy to
Public Health & Safety |
| 21. | Resolution | By Ald. Gewirtz, That this Board commends the organizers of the HONK! Festival for their hard work and dedication and for making the fourth annual festival possible this coming weekend, October 9-11. | 188228
Approved |
| 22. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration provide this Board with the exact written procedure and fee structure the city uses when responding to public records requests by members of the public. | 188229
Approved |
| 23. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration initiate a feasibility study to create a City Car Sharing program to reduce the city's vehicle fleet, save money and decrease Somerville's carbon footprint. | 188230
Approved, Copy to
Finance |
| 24. | Order | By Ald. White, That the City Solicitor draft an ordinance to require a building permit for asbestos removal and that such work be performed only by licensed asbestos removal contractors. | 188231
Approved, Copy to
Legislative Matters |
| 25. | Order | By Ald. White, That the City Solicitor draft an ordinance to require that all home improvement contracts involving work by contractors be performed by home improvement contractors licensed by the state and require their license number on the building permit. | 188232
Approved, Copy to
Legislative Matters |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 26. | Committee Report | Report of the Committee on Public Health & Safety, Sep. 30.
No papers. | 188233
Approved |
| 27. | Committee Report | Report of the Committee on Confirmation of Appointments, Oct. 1. | 188234
Approved |
| 27A. | Mayor's Request | Requesting the appointment of Charles Chisholm to the Condominium Review Board. | 187143
Placed on File |
| 27B. | Mayor's Request | Requesting the appointment of Joseph Figler as Constable. | 187494
Placed on File |
| 27C. | Mayor's Request | Requesting the appointment of James Kirylo to the citywide Design Review Committee. | 187864
Approved |

27D.	Mayor's Request	Requesting the appointment of Catello Battinelli II as Constable.	187865 Approved
27E.	Mayor's Request	Requesting the appointment of Alexis Kochka to the Arts Council.	188187 Approved
27F.	Mayor's Request	Requesting the appointment of Jacy Edelman to the Arts Council.	188188 Approved
27G.	Mayor's Request	Requesting the appointment of Mark Davis as Constable.	188189 Approved
28.	Committee Report	Report of the Committee on Housing & Community Development, Oct. 1. No papers.	188235 Approved
29.	Committee Report	Report of the Committee on Legislative Matters, Oct. 6.	188236 Approved as Amended: #186797 returned to Legislative Matters, #186863 also referred to Licenses & Permits
29A.	Officer's Comm.	Asst. City Solicitor submitting a revision to a proposed Ordinance (#186446) regarding snow, slush and ice on sidewalks.	186797 Returned to Legislative Matters
29B.	Officer's Comm.	Asst. City Solicitor submitting proposed revisions to Ord. 8-7, Operating Hours of Retail and Service Establishments.	186863 Also Referred to Licenses & Permits
30.	Committee Report	Report of the Committee on Licenses & Permits, Oct. 7.	188237 Approved
30A.	Outdoor Seating	Renewing Outdoor Seating License, Union Sq. Acupuncture, 21 Bow St., A-Frame sign.	187504 Approved
30B.	Extended Hours	Renewing Extended Hours License, Hess Corp., 709 McGrath Hwy., 24/7 operation.	187880 Approved
30C.	Garage	Renewing Garage License, Aris Auto Inc., 3 Craigie St., 3 autos inside, 8 outside.	188021 Approved
30D.	Extended Hours	New Extended Hours License, Farah Enterprises Inc. dba Domino's Pizza, 201 Elm St., Th to 1AM, Fr-Sa to 2 AM.	188022 Approved only for deliveries, not in-store
30E.	Extended Hours	New Extended Hours License, Jubiter Inc., dba 7-Eleven, 580 Broadway, 24/7 operation.	188023 NOT Approved

30F.	Garage	Renewing Garage License, International Auto Repair, 508 Somerville Ave., 2 autos inside, 8 outside.	188130 Approved
30G.	Garage	Renewal of Garage License, A Plus Auto Body Inc., 295 Medford St., 20 autos inside, 11 outside.	188131 Approved
30H.	Garage	Renewal of Garage License, A Plus Auto Body Inc., 297 Medford St., 10 autos inside.	188132 Approved
30I.	Used Car	Renewal of Used Car Dealers License Class II, A Plus Auto Body, 297 Medford St., no autos.	188133 Approved
30J.	Lodging House	Renewing Lodging House License, Kappa Charge of the Theta Delta Chi Fraternity, 123 Packard Ave.	188201 Approved
30K.	Lodging House	Renewing Lodging House License, Kappa Chapter of the Zeta Psi Fraternity, 80 Professors Row.	188202 Approved
30L.	Garage	Renewing Garage License, NStar Electric & Gas Corp., 181 McGrath Hwy., 20 vehicles inside, storage only.	188203 Approved
31.	Committee Report	Report of the Committees on Information Technology and Finance meeting jointly, Oct. 7.	188238 Approved
31A.	Mayor's Request	Requesting approval of an appropriation and authorization to borrow \$1,707,000, for the issuance of a bond to procure an Integrated Accounting and Financial Mgmt. System.	188179 Approved
31B.	Mayor's Request	Requesting the acceptance of a \$20,000 grant from the Commonwealth Security Trust Fund for the Police to equip its mobile command post with public safety equipment.	188183 Approved
32.	Committee Report	Report of the Committee on Finance, Oct. 7.	188239 Approved as Amended: Items G to I of #188178 returned to Finance, #188207 returned to Finance
32A.	Mayor's Request	Requesting approval of the temporary and permanent easements described in the attached Law Dept. memo, for construction in the Assembly Sq. area by Federal Realty Investment Trust and Vanasse Hangen Brustlin.	188178 Approved as Amended: Items G to I returned to Finance
32B.	Mayor's Request	Requesting the appropriation of a \$60,000 payment from Spectra Energy to the Algonquin Gas Loop Project Stabilization Fund.	188180 Approved

32C.	Mayor's Request	Requesting the transfer of \$21,211 from the Salary Contingency Acct. to the School Custodian Salary Acct. to pay earned vacation, sick and longevity time for former employee, the late John Clancy.	188181 Approved
32D.	Mayor's Request	Requesting the acceptance of a \$95,000 grant from MassDevelopment to complete assessment activities at the former Kiley Barrel site.	188182 Approved
32E.	Mayor's Request	Requesting approval to declare the attached list of Communications Dept. cell phone equipment surplus.	188186 Approved
32F.	Mayor's Request	Requesting approval of a Letter of Agreement with Federal Realty Investment Trust and Ikea Property Inc., providing for a rescission of the easements granted to the City in connection with the construction of Assembly Sq. Drive and Ikea Way.	188207 Returned to Finance

COMMUNICATIONS OF THE MAYOR

33.	Mayor's Request	Requesting approval of items for the infrastructure investment incentive (I-Cubed) program for the Assembly on the Mystic Development project, including 1) the Economic Development Proposal, 2) the creation and funding of a Municipal Liquidity Reserve for each Assessment Parcel, and 3) the acquisition or acceptance of any property interests in the public infrastructure improvements to be conveyed to the City upon completion.	188240 Finance
34.	Mayor's Request	Requesting appropriation of \$12,804 from the Capital Projects Stabilization Fund, for a concrete driveway at the Lowell St. Fire Station.	188241 Approved
35.	Mayor's Request	Requesting acceptance of a \$26,750 grant from the Mass. Cultural Council, for the Arts Council's grant program.	188242 Finance
36.	Mayor's Request	Requesting acceptance of a \$9,148.50 grant from the Mass. Dept. of Industrial Accidents Office of Safety, for city employees to become OSHA certified trainers.	188243 Finance
37.	Mayor's Request	Requesting acceptance of a \$7,500 grant from the Mass. Cultural Council, for the Arts Council's Books of Hope program.	188244 Finance
38.	Mayor's Request	Requesting acceptance of a \$4,900 grant from the Mass. Cultural Council, for the Arts Council's operational costs.	188245 Finance
39.	Mayor's Request	Requesting the re-appointment of Nancy Busnach to the Redevelopment Authority.	188246 Approved

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| 40. | Mayor's Request | Requesting the re-appointment of Jeffrey Levine to the Redevelopment Authority. | 188247
Approved |
| 41. | Mayor's Request | Requesting the re-appointment of William Medeiros to the Condominium Review Board. | 188248
Approved |
| 42. | Mayor's Request | Requesting the re-appointment of Elizabeth Medeiros to the Condominium Review Board. | 188249
Approved |
| 43. | Mayor's Request | Requesting the re-appointment of Marlene Smithers to the Condominium Review Board. | 188250
Approved |
| 44. | Mayor's Request | Requesting the re-appointment of Michael Payne to the Historic Preservation Commission. | 188251
Conf. of Appointments |
| 45. | Mayor's Request | Requesting the re-appointment of Abby Freedman to the Historic Preservation Commission. | 188252
Conf. of Appointments |
| 46. | Mayor's Request | Requesting the re-appointment of Brad Stearns to the Historic Preservation Commission. | 188253
Conf. of Appointments |
| 47. | Mayor's Request | Requesting the re-appointment of Denis Chagnon to the Historic Preservation Commission. | 188254
Conf. of Appointments |
| 48. | Mayor's Request | Requesting the re-appointment of Mary Cassesso to the Affordable Housing Trust Fund. | 188255
Conf. of Appointments |
| 49. | Mayor's Request | Requesting the re-appointment of Mary Louise Daly to the Affordable Housing Trust Fund. | 188256
Conf. of Appointments |
| 50. | Mayor's Request | Requesting the re-appointment of Donna Haynes to the Affordable Housing Trust Fund. | 188257
Conf. of Appointments |
| 51. | Mayor's Request | Requesting the re-appointment of Daniel LeBlanc to the Affordable Housing Trust Fund. | 188258
Conf. of Appointments |
| 52. | Mayor's Request | Requesting the re-appointment of Andrea Shapiro to the Affordable Housing Trust Fund. | 188259
Conf. of Appointments |

COMMUNICATIONS OF CITY OFFICERS

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| 53. | Officer's Comm. | Asst. City Solicitor conveying a proposed Ordinance 12-8, to replace current Ordinances 12-8 and 12-9, re: snow, slush and ice on sidewalks. | 188260
Legislative Matters |
| 54. | Officer's Comm. | SPCD Director responding to #188091 re: 36 Adrian St. and #188101 re: 12 Warwick St. | 188261
Placed on File |

NEW BUSINESS

55.	Public Event	Public Event Permit, HONK Festival, Davis Sq., Oct. 10, Noon-9PM and Oct. 11, 10AM-1PM.	188262 Approved
56.	Public Event	Public Event Permit, Women’s Commission & RESPOND Domestic Violence Candlelight Vigil, Davis Sq., Oct. 11, 6:30-7:30PM.	188263 Approved
57.	Public Event	Public Event Permit, Summer Street Brass Quintet free concert, Davis Sq., Oct. 17, 1-2:30PM.	188264 Approved
58.	Public Event	Public Event Permit, Teele Sq. Fall Fest, Broadway from Westminster to Curtis Sts., Oct. 18, 12-4PM.	188265 Approved
59.	Public Event	Public Event Permit, “The Social Network” Film Shoot, 70 Beacon St., Oct. 21-23, 4PM-7AM each night.	188266 Approved
60.	Public Event	Public Event Permit, Somerville Pride Basketball Canning Drive, Citywide, Oct. 24, 8AM-2PM.	188267 Approved
61.	Public Event	Public Event Permit, Jason Dedrick Road Race, 65 Holland St. and area roads, Oct. 31, 10:30AM-1:30PM.	188268 Approved
62.	Public Event	Public Event Permit, Race 4 Rwanda Road Race, Tufts track and area roads, Nov. 1, 10AM-2PM.	188269 Approved
63.	Public Event	Public Event Permit, Casey’s Road Race and Walk, 171 Broadway and area roads, Nov. 14, 11AM.	188270 Approved
64.	Sign	Sign/Awning Permit, Nail Image, 1160 Broadway, Sign.	188271 Licenses & Permits
65.	Garage	Renewing Garage License, Somerville Auto Center Inc., 193 Somerville Ave., 16 autos inside.	188272 Licenses & Permits

LATE ITEMS

66.	Resolution	By Ald. Heuston, That this Board requests that the Administration provide the Finance Committee with the number of public vehicles used by city employees, which departments use them, and which employees have access.	188273 Approved, Copy to Finance
67.	Resolution	By Ald. Heuston, That this Board requests that the Mayor update this Board on the Volunteer Coordinator position.	188274 Approved, Copy to Legislative Matters

Submitted by John J. Long, City Clerk