

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

MINUTES OF THE REGULAR MEETING

October 22, 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

- | | | | |
|----|-----------|---|--------------------------|
| 1. | Roll Call | Call of the Roll. | 188275 Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of September 24, 2009. | 188276 Approved |

CITATIONS

- | | | | |
|----|----------|--|--------------------|
| 3. | Citation | By Ald. White, Roche, and the Entire Board, Commending the Little Sisters of the Poor on the historic occasion of the Canonization of Jeanne Jugan, Foundress and first Little Sister of the Poor. | 188277 Approved |
| 4. | Citation | By Ald. Pero and White, Congratulating John and Carolina Danieli on the auspicious occasion of their 60 th wedding anniversary. | 188278 Approved |

PUBLIC HEARINGS

None

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

- | | | | |
|-----|------------|---|--|
| 5. | Resolution | By Ald. Roche, That this Board requests that the Supt. of Schools communicate with this Board a time line for the analysis of the pros and cons of closing the Brown School, as requested during the FY10 budget process. | 188279 Approved |
| 6. | Resolution | By Ald. Roche, Sullivan, Desmond, Connolly, Heuston, Taylor, O'Donovan, Trane and Pero, That this Board requests that the City Solicitor draft, and the Mayor include in his proposed City Charter revision, language to revise the performance of the duties of the Mayor when the Mayor is unable to perform such duties for more than 10 days, to replace the ascension of the President of the Board with any Alderman elected by majority vote of the Board. | 188280 Approved |
| 7. | Order | By Ald. Heuston, That the City Solicitor provide this Board with a draft amendment to the noise ordinance to provide for consistency with neighboring communities, especially in relation to non-emergency and ambient noise on Saturdays. | 188281 Approved, Copy to Legislative Matters |
| 8. | Order | By Ald. Heuston, That the Director of Traffic and Parking meet with the Ward 2 Alderman and representatives from Brickbottom Condominium Associates to review the traffic and parking plans for the Brickbottom area. | 188282 Approved |
| 9. | Order | By Ald. Heuston, That the Director of Traffic and Parking monitor student drop-offs at the Argenziano School and take any necessary actions so parents can drop their children off without receiving parking violations on Washington St. | 188283 Approved |
| 10. | Order | By Ald. Heuston, That the Commissioner of Public Works work with the Traffic and Parking Director and the Fire Prevention Bureau to relocate a FIRE LANE sign on Preston Rd. | 188284 Approved |
| 11. | Order | By Ald. Heuston, That the Clerk of Committees request of the management of Market Basket that a representative appear before this Board to address issues related to public safety, including overcrowding in their parking lot, the absence of surveillance cameras and other enhancements, blocked fire lanes, and other traffic issues. | 188285 Approved, Copy to Public Health & Safety |
| 12. | Order | By Ald. Connolly, That the Commissioner of Public Works notify all utilities servicing double poles to attend a meeting of the Committee on Public Utilities and Works, to be scheduled in the next few weeks, to advise on their role in eliminating double poles, and to respond to any other concerns from the Board of Aldermen. | 188286 Approved, Copy to Public Utilities & Works |
| 13. | Order | By Ald. Connolly and Gewirtz, That the Commissioner of Public Works notify the appropriate electric utility to repair the unlit streetlamp at College Ave. and Winter St. | 188287 Approved |

- | | | | |
|-----|------------|--|---|
| 14. | Order | By Ald. Connolly and Heuston, That the Commissioner of Public Works repair the light at the Somerville Ave. Fire Station so the American flag is illuminated in the evening. | 188288 Approved |
| 15. | Order | By Ald. Connolly and Heuston, That the Commissioner of Public Works take the necessary steps to install lighting on Somerville Ave., from Elm St. to the Fire Station. | 188289 Approved |
| 16. | Order | By Ald. Connolly and Pero, That the Commissioner of Public Works repair/replace the hazardous depression at 19 East Albion St. (See the attached letter from Senator Kerry.) | 188290 Approved |
| 17. | Order | By Ald. Connolly and Roche, That the Commissioner of Public Works repair the loose bricks at 89 Broadway. | 188291 Approved |
| 18. | Order | By Ald. Gewirtz, That the Director of Transportation appear before the Housing and Community Development Committee to discuss the November 18 public hearing about the Green Line extension and maintenance facility. | 188292 Approved, Copy to Housing & Community Development |
| 19. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration provide the Ward 6 and Ward 7 Aldermen with regular updates on the deteriorating retaining wall along the bike path, heading west after Buena Vista Rd. | 188293 Approved |
| 20. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration inform this Board about the new "stretch energy code" adopted by the state as a local option in May, 2009, and coordinate with this Board to set up community information sessions about its costs and benefits. | 188294 Approved |
| 21. | Resolution | By Ald. Gewirtz, That this Board requests that stores participating in the city's plastic bag recycling program ask shoppers at check-out stations to purchase reusable bags, to reduce pollution and damage caused by plastic bags. | 188295 Approved |
| 22. | Order | By Ald. Sullivan, That the City Solicitor draft a legal opinion on whether or not the city can enforce handicapped parking regulations on private property such as supermarkets and coffee shops. | 188296 Approved |
| 23. | Order | By Ald. Sullivan and Gewirtz, That the Commissioner of Public Works trim the 3 trees near 14 Bromfield Rd. | 188297 Approved |
| 24. | Order | By Ald. Sullivan, White, Desmond and Connolly, That the Director of Senior Services appear before a meeting of this Board to explain the "Emergency Preparedness" training conducted at senior housing. | 188298 Approved |

- | | | | |
|-----|------------|---|---|
| 25. | Resolution | By Ald. Trane and the Entire Board, That this Board urges Senator Kerry and Congressman Capuano to petition the FDA for quick approval of the new formulation for Oxycontin, which is difficult to misuse or abuse. | 188299 Approved |
| 26. | Order | By Ald. White and Gewirtz, That the Director of SPCD appear before this Board's Committee on Housing and Community Development to present an analysis of the design of the MBTA stop at Assembly Sq., including a map showing its location, and be prepared to discuss the pros and cons of a second headhouse. | 188300 Approved, Copy to Housing & Community Development |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

- | | | | |
|------|------------------|---|--|
| 27. | Committee Report | Report of the Committee of the Whole on Finance, Oct. 14. No papers. | 188301 Approved |
| 28. | Committee Report | Report of the Committee on Public Health & Safety, Oct. 19. No papers. | 188302 Approved |
| 29. | Committee Report | Report of the Committee of the Whole on Finance, Oct. 20. | 188303 Approved |
| 29A. | Mayor's Request | Requesting approval of a \$50,000,000 Infrastructure Incentive (I-Cubed) Program Funding for the Assembly on the Mystic Development project. | 187898 Placed on File |
| 29B. | Order | By Ald. Gewirtz, That the Director of SPCD provide the Finance Committee a written opinion on a second head house at Assembly Sq. using I-Cubed, or other, funding. | 188304 Approved, Copy to Finance |

COMMUNICATIONS OF THE MAYOR

- | | | | |
|-----|-----------------|--|--|
| 30. | Mayor's Request | Requesting approval of amendments to the Zoning Ordinances to create a new use of Senior Housing and facilitate the provision of senior housing. | 188305 Land Use and Planning Board |
| 31. | Mayor's Request | Requesting approval of an amendment to the Local Historic District Ordinance to create and add properties to the Flint St. and Atherton-Harvard-Spring-Summer St. Districts and expand the existing Dane St. District (all labeled Group A). | 188306 Legislative Matters |
| 32. | Mayor's Request | Requesting approval of an Order declaring that no zoning changes are required for the Assembly on the Mystic Project. | 188307 Approved |

| | | | |
|-----|-----------------|---|--------------------|
| 33. | Mayor's Request | Requesting approval of an Order approving the acquisition by permanent easement of land needed for the public infrastructure improvements to be financed by the first I-Cubed Bond Issue. | 188308 Finance |
| 34. | Mayor's Request | Requesting approval of an Order approving the creation and funding of a Municipal Liquidity Reserve for the first I-Cubed Bond Issue. | 188309 Approved |
| 35. | Mayor's Request | Requesting approval of an Order approving the Economic Development Proposal, including the obligations of the City in connection with the first I-Cubed Bond Issue of \$20,000,000. | 188310 Approved |
| 36. | Mayor's Comm. | Conveying a draft Infrastructure Development Assistance Agreement in conjunction with the I-Cubed Assembly on the Mystic Project. | 188311 Finance |
| 37. | Mayor's Request | Requesting an appropriation of, and authorization to borrow, \$625,000, in a bond for the purchase of a Fire Dept. Rescue Truck. | 188312 Finance |
| 38. | Mayor's Request | Requesting an appropriation of, and authorization to borrow, \$300,000, in a bond for the purchase of an artificial ice-skating rink. | 188313 Finance |
| 39. | Mayor's Request | Requesting an appropriation of \$171,810 from the Capital Projects Stabilization Fund to purchase 6 Ford Crown Victoria Police Interceptors for the Police Dept. | 188314 Finance |
| 40. | Mayor's Request | Requesting an appropriation of \$109,075 from the Capital Projects Stabilization Fund to purchase 5 Ford Crown Victoria Detective Vehicles for the Police Dept. | 188315 Finance |
| 41. | Mayor's Request | Requesting an appropriation of \$89,990 from the Capital Projects Stabilization Fund to use as the local match for the I-93 Interchange Study federal earmark. | 188316 Finance |
| 42. | Mayor's Request | Requesting an appropriation of \$71,895 from the Capital Projects Stabilization Fund to purchase 3 Toyota Prius hybrid vehicles for the Fire Dept. | 188317 Finance |
| 43. | Mayor's Request | Requesting an appropriation of \$65,000 from the Capital Projects Stabilization Fund to fund a study of streetscape infrastructure in Davis Sq. | 188318 Finance |
| 44. | Mayor's Request | Requesting an appropriation of \$44,800 from the Capital Projects Stabilization Fund to purchase Fire Suppression Command Vehicle for the fire Dept. | 188319 Finance |

| | | | |
|-----|-----------------|--|--------------------|
| 45. | Mayor's Request | Requesting an appropriation of \$36,641 from the Capital Projects Stabilization Fund to purchase a Fire Command Vehicle for the Fire Dept. | 188320 Finance |
| 46. | Mayor's Request | Requesting an appropriation of \$35,980 from the Capital Projects Stabilization Fund to purchase a Ford Van Prisoner Transport Vehicle for the Police Dept. | 188321 Finance |
| 47. | Mayor's Request | Requesting an appropriation of \$32,500 from the Capital Projects Stabilization Fund to purchase a Ford Expedition Special Services Vehicle for the Police Dept. | 188322 Finance |
| 48. | Mayor's Request | Requesting an appropriation of \$26,295 from the Capital Projects Stabilization Fund to purchase a Ford Van Animal Control Vehicle for the Police Dept. | 188323 Finance |
| 49. | Mayor's Request | Requesting the transfer of \$78,000 from the E911 Salaries Acct. to the Police Salaries Acct., to compensate for cutbacks in State funding. | 188324 Finance |
| 50. | Mayor's Request | Requesting the declaration of 12 city-owned parking spaces as available for disposition by lease for a maximum term of 5 years at a minimum rent of \$25,920 per year. | 188325 Finance |
| 51. | Mayor's Request | Requesting approval to expend a grant of \$44,532.54 from the State's Emergency Preparedness PHER III grant, for the Health Dept. to implement H1N1 vaccine clinics. | 188326 Finance |
| 52. | Mayor's Request | Requesting approval to expend a grant of \$11,222 from the MAPC Regional Bike Parking Program, to purchase new bicycle racks for installation citywide. | 188327 Approved |
| 53. | Mayor's Request | Requesting approval to expend a grant of \$8,500 from Honeywell Corp. to support the city's All America City designation. | 188328 Finance |
| 54. | Mayor's Request | Requesting approval to expend a grant of \$4,000 from the Health Resources in Action's 84 Movement for research by youth on the retail advertising of tobacco products. | 188329 Finance |
| 55. | Mayor's Request | Requesting authorization to exercise an optional renewal year (year 6—1/1/10-12/31/10) of the contract with F.W. Russell and Sons Disposal Inc., and Langton & Douglas Contracting Inc., for solid waste removal, recycling collection, and yard waste pickup. | 188330 Finance |
| 56. | Mayor's Request | Requesting authorization to enter into a new 5-year contract with F.W. Russell and Sons Disposal Inc., and Langton & Douglas Contracting Inc., for solid waste removal, recycling collection, and yard waste pickup. | 188331 Finance |

| | | | |
|-----|-----------------|--|---------------------------------|
| 57. | Mayor's Request | Requesting authorization for the School Superintendent to apply to the MA School Building Authority for assistance with the renovation or upgrade of the High School. | 188332 Finance |
| 58. | Mayor's Request | Requesting authorization for the School Superintendent to apply to the MA School Building Authority for assistance with the renovation or upgrade of the Winter Hill Community School. | 188333 Finance |
| 59. | Mayor's Request | Requesting authorization for the School Superintendent to apply to the MA School Building Authority for assistance with the renovation or upgrade of the Brown School. | 188334 Finance |
| 60. | Mayor's Request | Requesting approval of the attached list of poll workers, to work in the upcoming elections. | 188335 Approved |
| 61. | Mayor's Request | Requesting approval of the attached list of poll workers, all city employees, to work in the upcoming elections. | 188336 Approved |
| 62. | Mayor's Request | Requesting the appointment of Josue Velney as Firefighter. | 188337 Conf. of Appointments |
| 63. | Mayor's Request | Requesting the appointment of Betty Serris to the Commission for Persons with Disabilities. | 188338 Approved |
| 64. | Mayor's Request | Requesting the appointment of Julie Brady to the Design Review Commission. | 188339 Approved |
| 65. | Mayor's Request | Requesting the appointment of Matthew Rice to the Design Review Commission. | 188340 Approved |
| 66. | Mayor's Comm. | Proclaiming October 24, 2009, as Little Sisters of the Poor Day. | 188341 Placed on File |

COMMUNICATIONS OF CITY OFFICERS

| | | | |
|-----|-----------------|---|---|
| 67. | Officer's Comm. | SPCD Director responding to various Board Orders. | 188342 Placed on File except responses to #188099 & #188225 referred to Public Health & Safety |
|-----|-----------------|---|---|

NEW BUSINESS

| | | | |
|-----|--------------|---|--------------------|
| 68. | Public Event | Public Event Permit, "Untitled Wichita Project" Film Shoot, 480 Columbia St., Oct. 16, 8AM-8PM. | 188343 Approved |
| 69. | Public Event | Public Event Permit, David Foster Photography Saucony Catalog Photo Shoot, Davis Sq. area, Oct. 20, 6:30AM-6:30PM (raindate Oct. 22). | 188344 Approved |

| | | | |
|-----|--------------|---|------------------------------|
| 70. | Public Event | Public Event Permit, Emerson College Short Film Shoot, Prospect Hill Park, Oct. 23, 7AM-5PM. | 188345 Approved |
| 71. | Public Event | Public Event Permit, Youth Hockey Canning Drive, Citywide, Oct. 25 and Nov. 21. | 188346 Approved |
| 72. | Public Event | Public Event Permit, City Dog Training “Come When Called” Free Dog Clinic, Nunziato Field, Nov. 1, 1-2PM. | 188347 Approved |
| 73. | Sign | Sign/Awning Permit, Restaurant La Mexicana, 241-249 Washington St., 2 awnings, 1 sign. | 188348 Approved |
| 74. | Garage | Renewal of Garage License, Somerville Housing Group Trust III, 481 Columbia St., 252 vehicles inside. | 188349 Licenses & Permits |

LATE ITEMS

| | | | |
|-----|-----------------|--|---|
| 75. | Mayor’s Request | Requesting approval of revised temporary construction easements, revised permanent easements, a revised side letter agreement on easement rescission rights, and an Order of Taking to clear title on a small parcel that was formerly part of Tenney Court and will be part of Assembly Sq. Dr. | 188350 Finance |
| 76. | Mayor’s Comm. | Conveying the Administration’s position on the interrelationship of the I-Cubed program and a second head house at the Orange Line Assembly Sq. station. | 188351 Finance and Housing & Community Development |
| 77. | Order | By Ald. Sullivan, Desmond, Connolly, White, Taylor and Roche, That the Director of Traffic and Parking request of the MA Highway Dept. that an additional RIGHT TURN ONLY sign be placed on the southbound side of McGrath Hwy. before the bridge between Pearl and Medford Sts. | 188352 Approved |

Submitted by John J. Long, City Clerk