

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

MINUTES OF THE REGULAR MEETING

November 20, 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 Robert C. Trane, Vice President Dennis M. Sullivan, Aldermen John M. Connolly, Bruce M. Desmond, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Walter F. Pero, Rebekah L. Gewirtz.

OPENING OF THE MEETING

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| 1. | Roll Call | Call of the Roll. | 184515
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of October 25, 2007. | 184516
Approved |

CITATIONS

None

PUBLIC HEARINGS

None

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

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| 3. | Order | By Ald. Pero, That the Director of Traffic and Parking and the Commissioner of Public Works examine parking on Derby St., and take corrective action to relocate the curb cuts, to allow for more parking on the street. | 184517
Approved |
| 4. | Order | By Ald. Pero, That the Commissioner of Public Works inform the Ward 4 Alderman of the health of the tree at 106 Puritan Rd. | 184518
Approved |

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| 5. | Resolution | By Ald. Pero, That this Board requests that the Administration address the City's response to the annual recognition of Veterans Day. | 184519
Approved, Copy to
Veterans Services |
| 6. | Order | By Ald. Pero, That the Chief of Police establish a neighborhood crime watch in the vicinity of Derby, Grant and Wheatland Sts. | 184520
Approved |
| 7. | Order | By Ald. Pero, That the Chief of Police order a directed patrol at Grimmons Park in Ten Hills at park closing time. | 184521
Approved |
| 8. | Order | By Ald. Pero, That the City Solicitor respond to the petition of the 71% of Fellsway West residents who have petitioned the Traffic Commission for resident parking. | 184522
Approved |
| 9. | Order | By Ald. Pero, That the City Clerk prepare a communication from this Board to the response of the FAA to the phone calls generated as a result of the air traffic over Somerville on 11/16/07. | 184523
Approved |
| 10. | Ordinance | By Ald. Heuston, Amending Ordinance 8-7 relative to extended operating hours for retail and service businesses. | 184524
Legislative Matters and
Licenses & Permits |
| 11. | Order | By Ald. Desmond and O'Donovan, That the Commissioner of Public Works contact NStar to repair the broken street light at 6 Pembroke St. | 184525
Approved |
| 12. | Order | By Ald. Desmond, Connolly, Sullivan and White, That the Director of SPCD notify this Board of all environmental testing on large development projects and explain how abutters will be notified. | 184526
Approved |
| 13. | Order | By Ald. Desmond, Connolly, Sullivan and White, That the Director of SPCD schedule with KSS Realty, owners of the Max Pak site, a neighborhood meeting to address the excavation and testing of soil, share the results, and develop better communications regarding all phases of development. | 184527
Approved |
| 14. | Order | By Ald. Desmond, Trane and Roche, That the Directors of Personnel and Information Technology meet to recommend an on-call payment schedule for the IT Dept. and present it at the next IT Committee meeting. | 184528
Approved, Copy to
Information Technology |
| 15. | Order | By Ald. Desmond, Trane and Roche, That the Directors of Purchasing and Information Technology meet to develop a recommendation to purchase a diesel powered generator to provide electrical power to essential computer hardware systems in City Hall in case of a power outage. | 184529
Approved |

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| 16. | Order | By Ald. O'Donovan, That the Director of SPCD prepare findings for the Zoning Board of Appeals, illustrating the non-compliance of 492 Medford St. and ordering that the building be lowered 4 feet from the Trull St. elevation. | 184530
Approved |
| 17. | Resolution | By Ald. O'Donovan, That this Board requests that the Zoning Board of Appeals rescind any permits granted for 492 Medford St. | 184531
Approved |
| 18. | Order | By Ald. O'Donovan, That the Commissioner of Public Works ensure that the new street light at 16 Boston Ave. be situated far from the driveway, to allow for clear passage. | 184532
Approved |
| 19. | Order | By Ald. O'Donovan, That the Commissioner of Public Works and the Superintendent of Buildings and Grounds meet with the Ward 5 Alderman regarding Albion Park. | 184533
Approved |
| 20. | Order | By Ald. O'Donovan, That the Commissioner of Public Works remove all remaining tree limbs and debris from Downer Place. | 184534
Approved |
| 21. | Order | By Ald. Sullivan, Roche, Desmond, White and Connolly, That the Director Of SPCD request that Federal Realty and the MBTA provide shelters for the Assembly Sq. bus stops. | 184535
Approved |
| 22. | Order | By Ald. Sullivan, Roche, Desmond, White and Connolly, That the Commissioner of Public Works work with the MA Highway Dept. to clean up the debris underneath I-93 and add lighting at the Kensington Ave. extension. | 184536
Approved |
| 23. | Order | By Ald. Sullivan, Roche, Taylor, Desmond, White and Connolly, That the Commissioner of Public Works repair the street light at 265 Medford St. | 184537
Approved |
| 24. | Order | By Ald. Gewirtz, That the City Solicitor draft an ordinance governing tree preservation and the tree warden's role in initiating the process for removing public shade trees in accordance with MGL chapter 87. | 184538
Legislative Matters |
| 25. | Resolution | By Ald. Gewirtz, That this Board requests that the Library Director and the Chair of the Disabilities Commission appear at the next Housing and Community Development Committee meeting to discuss disability accessibility at the West Branch Library. | 184539
Approved, Copy to
Housing & Community
Development |
| 26. | Order | By Ald. Gewirtz, That the Chief of Police order a directed patrol around Meacham St. by Seven Hills Park on Friday and Saturday nights to reduce neighborhood crime. | 184540
Approved |

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| 27. | Order | By Ald. Gewirtz, That the Commissioner of Public Works replace the temporary asphalt sidewalk at 14 Lowden Ave. with concrete panels and report to the Ward 6 Alderman when the new tree will be planted there. | 184541
Approved |
| 28. | Order | By Ald. Gewirtz, That the Commissioner of Public Works report to the Ward 6 Alderman on the status of pole numbers and the city's phone number being placed on light poles along the bike path. | 184542
Approved |
| 29. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration provide the Ward 6 Alderman with the status of the hotel RFP for Davis Sq. | 184543
Approved |
| 30. | Resolution | By Ald. Connolly and the Entire Board, that this Board commends School Superintendent Tony Pierantozzi, the Somerville Community for Inclusion and the Somerville Special Education Advocacy Project for the Inclusion Awareness Day on 11/17/07, at the Kennedy School. | 184544
Approved |
| 31. | Order | By Ald. Connolly and Gewirtz, That the Commissioner of Public Works trim the city trees brushing against the house, and repair the cracked sidewalk, at 15 Burnham St. | 184545
Approved |
| 32. | Order | By Ald. Connolly and O'Donovan, That the Commissioner of Public Works repair the sidewalk at 229 Lowell St. | 184546
Approved |
| 33. | Order | By Ald. Connolly and Trane, That the Police Chief attempt to assist the owner of 7 Hill St. to recover a down payment from an unlicensed and uninsured contractor known to be residing in West Somerville. | 184547
Approved |
| 34. | Order | By Ald. Connolly, Roche and Sullivan, That the SPCD inspect the worksite at 88 Broadway/1 Franklin St. for proper permits and access requirements for the abutting property at 3 Franklin St. | 184548
Approved |
| 35. | Order | By Ald. Connolly, Taylor, Desmond and Sullivan, That the Commissioner of Public Works notify NStar to repair the light at 265 Highland Ave., across from Brady Towers. | 184549
Approved |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 36. | Committee Report | Report of the Committee on Finance, Nov. 13. | 184550
Approved |
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36A.	Mayor's Request	Requesting approval to expend a grant of \$345,680 from the MA Exec. Office of Public Safety to the Police for Community Policing.	184303 Approved
36B.	Mayor's Request	Requesting approval of an appropriation and bond of \$475,000 for the construction of the Trum Field Fieldhouse.	184325 Approved
36C.	Mayor's Request	Requesting approval to appropriate \$1,000,000 from Receipts Reserved for Appropriation – Parking Meter Receipts, to reduce the FY08 tax levy.	184387 Approved
36D.	Mayor's Request	Requesting approval to transfer \$51,509 from the Salary Contingency Acct. to the Police Detail Revolving Acct. to fund an obligation to the Police Patrolmen's Association to pay for work details where vendors are delinquent.	184389 Approved
36E.	Mayor's Request	Requesting approval to expend a grant of \$33,924 from the Metro Mayors Shannon Grant to the Police, for overtime associated with anti-gang and anti-violence activities.	184391 Approved
36F.	Mayor's Request	Requesting approval to transfer \$103,938 from the Salary Contingency Acct. to the Fire Alarm Salaries Acct. to fund retroactive benefits from the Agreement with the Fire Assoc. of Somerville/Fire Alarm for 7/1/04-6/30/07.	184483 Approved
36G.	Mayor's Request	Requesting approval to expend a grant of \$93,334 from the MA Dept. of Public Health for the Health Dept.'s Shape Up Somerville Program.	184485 Approved
35H.	Mayor's Request	Requesting approval to transfer \$30,000 from the Sewer Catch Basin Disposals Acct. to the Sewer Capital Cleaning and Repairs Acct. to repair a crushed pipe at Trum Field.	184506 Approved
37.	Committee Report	Report of the Committee on Public Utilities & Public Works, Nov. 13.	184551 Approved
37A.	Order	Submitted by Ald. Pero, That the Commissioner of Public Works direct NSTAR to notify the city's Communications Dept. anytime its arborist is trimming trees in a neighborhood.	184552 Approved
38.	Committee Report	Report of the Committee on Legislative Matters, Nov. 13.	184553 Approved
38A.	Officer's Comm.	Veteran's Services Director and Chairman of the Dedication Commission responding to #183585 re: renaming the High School Concourse.	183732 Placed on File
38B.	Ordinance	By Ald. Taylor, That Ordinance 3-3 be amended by striking the word "pigeons" and inserting in place thereof, the word "birds".	184333 Approved, Enrolled and Ordained

38C.	Resolution	By Ald. Roche, That the Administration post a fact sheet on the proposed Responsible Employer Ordinance on the city's website.	184554 Approved
39.	Committee Report	Report of the Committee on Licenses & Permits, Nov. 14.	184555 Approved
39A.	Grant of Location	NStar Electric for a Grant of Location to install 55 feet of conduit at 112 Elm St.	183744 Approved
39B.	Sign	New Sign/Awning Permit, 02 Yoga Studio, LLC, 288 Highland Ave., Awning.	183846 Approved
39C.	Grant of Location	NStar Electric for a Grant of Location to install 70 feet of conduit at Broadway and Cross St.	183978 Approved
39D.	Grant of Location	Nstar Electric for a Grant of Location to install 64 feet of conduit at 167 Holland St.	183979 Approved w/conditions: Work 9-4 only.
39E.	Sign	New Sign/Awning Permit, I-Café, 1133B Broadway, Awning.	184134 Approved
39F.	Used Car	New Used Car Dealer's License, Auto Fair, 369 Beacon St., 8AM-8PM, Sunday-Saturday, all for 15 autos outside.	184241 Approved for 6 autos outside only
39G.	Garage	Renewal of Garage License, Mass Auto Repair, 627-631 Somerville Ave., 14 autos.	184312 Approved
39H.	Garage	Renewal of Garage License, NStar Electric & Gas Corp., 181 McGrath Highway, 20 autos.	184313 Approved
39I.	Used Car	Renewal of Used Car Dealer License, Frank & Ed's Automotive, 483 Somerville Ave., 6 autos.	184314 Approved
39J.	Extended Retail Hrs	New Extended Retail Hours Permit, Wings Over Somerville, 519 Somerville Ave., Fri. & Sat. until 2AM.	184315 Approved as Amended: Lobby closes at 12AM, deliveries until 2AM
39K.	Flammable	Renewal of Flammables License, Internap Network Services Corp., 70 Innerbelt Rd., 7,500 gallons.	184402 Approved
39L.	Flammable	Renewal of Flammables License, Fred Hubbard Gulf Inc., 369-371 Highland Ave., 19,100 gallons.	184403 Approved
39M.	Flammable	Renewal of Flammables License, Samuel Azevedo dba K&K Mechanics, 42 Dana St., 1,215 gallons.	184404 Approved

39N.	Flammable	Renewal of Flammables License, PJ's Auto Sales Inc., 161 Broadway, 10,500 gallons.	184405 Approved
39O.	Flammable	Renewal of Flammables License, Aris Auto Inc., 3 Craigie St., 30,394 gallons.	184406 Approved
39P.	Garage	Renewal of Garage License, Samuel Azevedo dba K & K Mechanics, 42 Dana St., 12 autos.	184408 Approved
39Q.	Used Car	Renewal of Used Car Dealers License Class II, UMP Corporation/United Motors, 188 Broadway, 4 autos.	184411 Approved
39R.	Used Car	Renewal of Used Car Dealers License Class II, Executive Auto Leasing & Sales, 30 Medford St., 3 autos.	184412 Approved
39S.	Used Car	Renewal of Used Car Dealers License Class II, PJ'S Auto Sales Inc., 161 Broadway, 65 autos.	184413 Approved
39T.	Used Car	Renewal of Used Car Dealers License Class II, William Doucette Auto Sales, 325 Alewife Brook Pkwy, 8 autos.	184414 Approved w/conditions: 4 cars in front, 8 in rear
39U.	Outdoor Seating	New Outdoor Seating License, Princess Beauty Salon, 364 Mystic Ave., 2 tables, 2 chairs and a sidewalk sign.	184430 Approved
39V.	Used Car	New Used Car Dealers License Class I, Herb Cambers I-93 Inc. dba Smart Center Boston, 259 McGrath Highway, 5 autos inside.	184491 Approved w/conditions: 55 cars outside, 295 inside, max. on property
39W.	Used Car	Renewal of Used Car Dealers License Class II, Prestige Auto Imports Inc. dba Webster Auto Sales, 61 Prospect St., 22 autos.	184492 Approved for 22 cars outside only
39X.	Used Car	Renewal of Used Car Dealers License Class II, Motobidia LLC, 561 Windsor St. Suite A205, no autos.	184493 Approved
39Y.	Used Car	Renewal of Used Car Dealers License Class II, CM Auto Sales, 30 Joy St., 40 autos.	184494 Approved
39Z.	Used Car	Renewal of Used Car Dealers License Class II, Vicente Bros Auto Sales, 345 Medford St., 7 autos.	184495 Approved
39AA.	Used Car	Renewal of Used Car Dealers License Class II, AllRite Auto Inc., 38-42 Medford St., 10 autos.	184496 Approved
39AB.	Used Car	Renewal of Used Car Dealers License Class II, Barnes and Walsh Co., 224 Somerville Ave., 5 autos.	184497 Approved

39AC.	Used Car	Renewal of Used Car Dealers License Class II, Dodakin's Auto Sales, 191 Beacon St., 4 autos inside, 18 outside.	184498 Approved
39AD.	Used Car	Renewal of Used Car Dealers License Class III, Nissenbaum's Auto Parts Inc., 0 Windsor Rd.	184500 Approved
39AE.	Used Car	Renewal of Used Car Dealers License Class III, Nissenbaum's Auto Parts Inc., 480 Columbia St.	184501 Approved
39AF.	Used Car	Renewal of Used Car Dealers License Class III, T.C. Auto Exchange, 176-178 Tremont St.	184502 Approved
39AG.	Lodging	Renewal of Lodging House License, (recently licensed for 60 days only) ATO Associates Inc., 134 Professors Row.	184503 Approved
39AH.	Order	By Ald. Heuston, That the Director of SPCD proceed with placing street signs on those bus shelters capable of accepting them.	184556 Approved
40.	Committee Report	Report of the Committee on Information Technology, Nov. 14. No Papers.	184557 Approved
41.	Committee Report	Report of the Committee of Public Health & Public Safety, Nov. 19. No Papers.	184558 Approved

COMMUNICATIONS OF THE MAYOR

42.	Mayor's Request	Requesting the acceptance of \$1,000,000 from IKEA for the Assembly Sq. Stabilization Fund.	184559 Finance
43.	Mayor's Request	Requesting the acceptance of \$250,000 from IKEA to reimburse the city for legal expenses incurred from 2004 to 2006 for Assembly Sq. development.	184560 Finance
44.	Mayor's Request	Requesting the acceptance of \$100,000 from IKEA to establish a new Stabilization Fund under MGL c40 s5B to be known as the "East Somerville Stabilization Fund".	184561 Finance
45.	Mayor's Request	Requesting approval for the Health Dept. to pay two prior year invoices of \$18,558.65 from Shore Educational Collaborative.	184562 Approved
46.	Mayor's Request	Requesting the appointment of Charlie Dennison to the Bicycle Advisory Committee.	184563 Conf. of Appointments
47.	Mayor's Request	Requesting the appointment of Brian Postlewaite to the Bicycle Advisory Committee.	184564 Conf. of Appointments

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| 48. | Mayor's Request | Requesting the appointment of Kevin Allen to the Historic Preservation Commission. | 184565
Conf. of Appointments |
| 49. | Mayor's Request | Requesting the appointment of Thomas DeYoung to the Historic Preservation Commission. | 184566
Conf. of Appointments |
| 50. | Mayor's Request | Requesting the re-appointment of Daniel Willinger as Constable. | 184567
Approved |
| 51. | Mayor's Request | Requesting the re-appointment of Robert Lomanno as Constable. | 184568
Approved |

COMMUNICATIONS OF CITY OFFICERS

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| 52. | Officer's Comm. | Eileen Feldman, Chair, Commission for Persons with Disabilities submitting comments re: the CDBG 5 year plan. | 184569
Placed on File |
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NEW BUSINESS

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| 53. | Public Occ | Public Occupancy Permit, Somerville Dog Owners Group, "No Pile Left Behind" Pledge Drive, Community path near Willow Ave., Sat. Nov. 17, 8AM-6PM (raindate Nov. 18). | 184570
Approved |
| 54. | Open Air | Renewal of Open Air Vendor License, Next Wave/Full Circle Schools, to sell Xmas Trees and Wreaths, Foss Park, Dec. 1-21, M-F, 4-8 and Sat-Sun 10-8. | 184571
Approved |
| 55. | Used Car | Renewal of Used Car Dealers License Class I, Dom's Motor Service Inc. dba Riverside Kawasaki Yamaha, 2 Union Sq., 85 autos. | 184572
Licenses & Permits |
| 56. | Used Car | Renewal of Used Car Dealers License Class II, Dom's Motor Service, Inc. dba Riverside Kawasaki Yamaha, 2 Union Sq., 2 autos & 15 motorcycles. | 184573
Licenses & Permits |
| 57. | Used Car | Renewal of Used Car Dealers License Class II, Broadway Brake Corp., 45 Broadway, 3 autos. | 184574
Licenses & Permits |
| 58. | Used Car | Renewal of Used Car Dealers License Class II, Foreign Auto Wholesalers, 80 Pearl St., 2 autos. | 184575
Licenses & Permits |
| 59. | Used Car | Renewal of Used Car Dealers License Class II, John's Auto Sales Inc., 181 Somerville Ave., 38 autos. | 184576
Licenses & Permits |
| 60. | Used Car | Renewal of Used Car Dealers License Class II, D.M. Auto Body Inc., 13 autos. | 184577
Licenses & Permits |
| 61. | Used Car | Renewal of Used Car Dealers License Class II, Mystic Auto Sales & Service, 712 Mystic Ave., 10 autos. | 184578
Licenses & Permits |

62.	Used Car	Renewal of Used Car Dealers License Class II, Concord Auto Service, 73 Summer St., 4 autos.	184579 Licenses & Permits
63.	Used Car	Renewal of Used Car Dealers License Class II, K & K Mechanics, 42 Dane St., 3 autos.	184580 Licenses & Permits
64.	Used Car	Renewal of Used Car Dealers License Class II, Broadway Auto Sales, 525 Broadway, 11 autos.	184581 Licenses & Permits
65.	Used Car	Renewal of Used Car Dealers License Class II, Ferry St. Motor Inc. dba American Auto Gallery, 682 Mystic Ave., 20 autos outside & 2 inside.	184582 Licenses & Permits
66.	Used Car	Renewal of Used Car Dealers License Class II, Hillside Jaguar Inc. dba Hillside Service Center, 45 Mystic Ave., 10 autos.	184583 Licenses & Permits
67.	Used Car	Renewal of Used Car Dealers License Class II, James A. Kiley Co., 15 Linwood St., 6 autos.	184584 Licenses & Permits
68.	Used Car	Renewal of Used Car Dealers License Class II, Cambridge Auto Sales, 75 Park St., 23 autos.	184585 Licenses & Permits
69.	Sign	New Sign/Awning Permit, Ball Sq. Café and Breakfast, 708 Broadway, sign.	184586 Approved
70.	Comm.	Senator Galluccio responding to #184351 re: relocating an MBTA bus stop on Broadway.	184587 Placed on File
71.	Comm.	Senator Galluccio responding to #184371 re: increased traffic enforcement at Route 28 and Highland Ave.	184588 Placed on File
72.	Comm.	Senator Galluccio responding to #184442 re: MBTA station security at Sullivan Sq.	184589 Placed on File
73.	Comm.	Senator Galluccio responding to #184421 & #184422 re: Myrtle St. and Washington St.	184590 Placed on File
74.	Comm.	Mass. DCR responding to resolutions 184421 & 184422 re: Myrtle St. and Washington St.	184591 Placed on File
75.	Comm.	W. James Herbert re: the Local Historic District preservation plan and his property at 380 Somerville Ave.	184592 Placed on File, Copy to Legislative Matters
<u>LATE ITEMS</u>			
76.	Officer's Comm.	Public Health Director responding to #184372 re: School Health Services.	184593 Public Health & Safety

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| 77. | Officer's
Comm. | Police Chief responding to various Board Orders. | 184594
Placed on File |
| 78. | Amusemnt
Devices | Renewal of Automatic Amusement Device License,
American Legion Post 19, 124 Highland Ave., 1 device. | 184595
Approved |
| 79. | Order | By Ald. Trane, That the Director of Communications install
a shelf in the Committee Room to house the electronic
audio/video equipment currently sitting on the clerk's desk. | 184596
Approved |
| 80. | Order | By Ald. Sullivan, That the Chief of Police and Director of
SPCD provide this Board a report on the number of parking
spaces on the even and odd sides of the street citywide. | 184597
Approved |

Submitted by John J. Long, City Clerk