

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

MINUTES OF THE REGULAR MEETING

December 11, 2008, 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 Dennis M. Sullivan, Vice President Walter F. Pero, Aldermen John M. Connolly, 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. | 186588
Placed on File |
| 2. | Minutes | Approval of the minutes of the Regular Meeting of November 13, 2008. | 186589
Approved |

CITATIONS

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|----|----------|---|-------------------------|
| 3. | Citation | By Ald. Heuston and the Entire Board, Congratulating Joseph Carvalho on the happy occasion of his 90 th birthday. | 186590
Approved |
| 4. | Citation | By Ald. Sullivan, O'Donovan and the Entire Board, Commending Cornelius and Barbara O'Regan on the happy occasion of their 50 th wedding anniversary. | 186591
Approved |
| 5. | Citation | By Ald. Sullivan and the Entire Board, Commending Michael Buckley, who is resigning after 5 years of distinguished service on the Mayor's staff and at the DPW. | 186592
Laid on Table |
| 6. | Citation | By Ald. Gewirtz and the Entire Board, Congratulating Lyndell's Bakery, celebrating 121 years of service as New England's oldest retail bakery. | 186593
Approved |
| 7. | Citation | By The Entire Board, Commending Michael Deegan for serving the Somerville Allied Veterans Council as President in 2008. | 186594
Approved |

PUBLIC HEARINGS

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| 8. | Grant of Location | NStar Electric for a grant of location to install about 9 feet of conduit in Bedford St. | 186595
Approved
Ald. Roche recused |
| 9. | Grant of Location | NStar Electric for a grant of location to install about 3 feet of conduit at 42 Clyde St. | 186596
Approved
Ald. Roche recused |

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

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| 10. | Order | By Ald. Roche, That the Chief of Police report to this Board on any cuts or potential cuts in community policing. | 186597
Approved |
| 11. | Order | By Ald. Roche, That the Chief of Police order directed patrols for New Washington St. behind Cobble Hill, as tractor trailer trucks are idling there all night. | 186598
Approved |
| 12. | Order | By Ald. Roche and Sullivan, That the Director of Communications inform this Board whether Verizon or any other telecom company is looking to expand to Somerville for TV, Internet or telephone services. | 186599
Approved |
| 13. | Order | By Ald. Roche and Sullivan, That the Chief of Police order directed patrols in and around Sullivan Sq., from dusk to midnight, so pedestrians feel safe walking home from this MBTA station, and make arrangements with the MBTA Police and Boston Police for similar visibility. | 186600
Approved |
| 14. | Order | By Ald. Roche, Sullivan and Taylor, That the Director of Traffic and Parking examine the recently installed traffic signal at Highland Ave. and Medford St. to ensure that it is clearly visible to vehicles approaching from all directions. | 186601
Approved |
| 15. | Resolution | By Ald. Taylor and White, That a representative of the Cambridge Health Alliance appear before this Board's Committee on Public Health and Safety to discuss a newspaper report on the possible closure of Somerville Hospital. | 186602
Approved, Copy to
Public Health & Safety |
| 16. | Order | By Ald. Desmond, That the Chief Fire Engineer appear before the next meeting of this Board's Committee on Public Health and Safety to address concerns that newly appointed and untrained recruits are being used as the third man on fire apparatus, answering actual calls. | 186603
Approved, Copy to
Public Health & Safety |

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| 17. | Order | By Ald. Desmond, That the City Solicitor provide this Board with an opinion regarding the City's liability if a fire fighter or resident was injured or killed as a result of a newly appointed, untrained fire fighter answering a call. | 186604
Approved |
| 18. | Order | By Ald. Desmond, Trane and Heuston, That the City Clerk schedule and advertise a Public Hearing on January 15, 2009, before this Board's Committee of Licenses and Permits, to hear testimony on extending the hours of common victuallers past midnight. | 186605
Approved |
| 19. | Order | By Ald. Desmond, Trane and Heuston, That the Director of Public Health and the Director of SPCD appear before this Board's Committee on Licenses and Permits at the Public Hearing on January 15, 2009, to provide testimony on common victuallers operating past midnight. | 186606
Approved, Copy to
Licenses & Permits |
| 20. | Order | By Ald. Desmond, Trane and Heuston, That the Chief of Police appear before this Board's Committee on Licenses and Permits at the Public Hearing on January 15, 2009, to provide testimony on common victuallers operating past midnight. | 186607
Approved, Copy to
Licenses & Permits |
| 21. | Order | By Ald. Desmond, Trane and Heuston, That the City Clerk notify the Chamber of Commerce, Davis Sq. Task Force, Union Sq. Main Streets, Lower Broadway Main Streets and any other organization interested in common victuallers operating past midnight, of a Public Hearing on January 15, 2009, at which their opinions would be appreciated. | 186608
Approved |
| 22. | Order | By Ald. Desmond, Trane and Heuston, That the City Clerk provide this Board, prior to the Public Hearing on January 15, 2009, a list of all businesses under the purview of the Board that hold a Common Victuallers License. | 186609
Approved |
| 23. | Order | By Ald. Gewirtz, That the Director of SPCD inform Nextel that they may not store telephone poles at the lot on Willow Ave. at the Bike Path, as they release noxious chemicals and make the area unsanitary. | 186610
Approved |
| 24. | Order | By Ald. Heuston, That this Board's Committee on Public Health and Safety review recurring complaints from Ward 2 residents regarding noise, etc., generated by Royal White Services and impacting residents' quality of life. | 186611
Approved, Copy to
Public Health & Safety |
| 25. | Order | By Ald. Heuston, That the Commissioner of Public Works place sand barrels throughout Ward 2, near schools and churches and on hills and major intersections. | 186612
Approved |

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| 26. | Order | By Ald. Connolly, That the Commissioner of Public Works report on the status of double poles throughout the city at the next meeting of this Board's Committee on Public Utilities and Works. | 186613
Approved, Copy to
Public Utilities &
Works |
| 27. | Order | By Ald. Connolly and Gewirtz, That the Commissioner of Public Works notify the responsible utility to repair the streetlamps at Powderhouse Rotary and on the even side of Morrison Ave. nearest to College Ave. | 186614
Approved |
| 28. | Resolution | By Ald. Sullivan, That this Board requests that the City designate the building at 365 Broadway a landmark, as the former residence of President-Elect Barack Obama (1988-1991), install a plaque on city property nearby, and invite the President-Elect to the official unveiling. | 186615
Approved |
| 29. | Order | By Ald. White and Taylor, That the Director of SPCD and the Chief of Police coordinate efforts to stop the collection of trash from the lot adjoining Properzi Manor at 3 AM and ensure that such collection is done at a reasonable time. | 186616
Approved, Copy to
Public Health & Safety |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 30. | Committee Report | Report of the Committee of the Whole on Housing & Community Development, Dec. 1. | 186617
Approved |
| 30A. | Resolution | By Ald. Connolly, That the Mayor and SPCD formulate a Master Planning Action Process for unified community agreement on a Plan that doesn't deter economic development, diminish quality of life, or exacerbate current transportation infrastructure barriers. | 186618
Approved |
| 31. | Committee Report | Report of the Committee on Land Use, Dec. 4.
No papers. | 186619
Approved |
| 32. | Committee Report | Report of the Committee on Licenses & Permits, Dec. 10. | 186620
Item Severed, Approved
except Golden Light
Order Withdrawn |
| 32A. | Garage | Amendment of Garage License, U-Haul Co. of Boston, 151 Linwood St., adding 30 vehicles outside. | 185872
Approved |
| 32B. | Extended Hours | New Extended Hours License, Tufts Mayer Campus Center, 44 Professors Row, Sep.-May, Th-Sa 8AM-2AM.
(Approved 10/23/08; reconsideration moved by Ald. Desmond.) | 186430
Approved |

32C.	Extended Hours	New Extended Hours License, Tufts Tisch Library Café, 35 Professors Row, Sep.-May, Su-Th Noon-1AM. (Approved 10/23/08; reconsideration moved by Ald. Desmond.)	186431 Approved
32D.	Sign	New Sign/Awning Permit, DiGirolamo Realty Trust, 20-22 Bow St., Awning.	186518 Approved
32E.	Sign	New Sign/Awning Permit, Candlewick Press Inc., 99 Dover St., Awning.	186519 Approved
32F.	Garage	Renewal of Garage License, United Auto Repair, 64 Joy St., 6 autos inside & 2 outside.	186521 Approved
32G.	Garage	Renewal of Garage License, Somerville Auto Transport Service Inc., 495 Columbia St., 22 autos inside.	186522 Approved
32H.	Used Car	Renewal of Used Car Dealers License Class I, Herb Chambers I-95 Inc. dba Chambers Motorcars of Boston, 259 McGrath Hwy., 350 autos.	186523 Approved
32I.	Used Car	Renewal of Used Car Dealers License Class I, Herb Chambers I-95 Inc. dba Smart Car Center, 259 McGrath Hwy., 5 autos.	186524 Approved
32J.	Used Car	Renewal of Used Car Dealers License Class II, GE & M Auto Service dba Parkway Sunoco, 395 Alewife Brook Pkwy., 10 autos outside.	186525 Approved
32K.	Used Car	Renewal of Used Car Dealers License Class II, Executive Auto Leasing & Sales, 30 Medford St., 3 autos.	186526 Approved
32L.	Used Car	Renewal of Used Car Dealers License Class II, Motobidia LLC, 561 Windsor St. Suite A205, no autos.	186527 Approved
32M.	Used Car	Renewal of Used Car Dealers License Class II, Elias & Abe Auto Repair Inc. dba Broadway Sunoco, 258 Broadway, 14 autos outside.	186528 Approved
32N.	Used Car	Renewal of Used Car Dealers License Class II, Dodakin's Auto Sales, 191 Beacon St., 4 autos inside & 18 outside.	186529 Approved
32O.	Used Car	Renewal of Used Car Dealers License Class II, All Rite Auto Inc., 38-42 Medford St., 10 autos.	186530 Approved
32P.	Used Car	Renewal of Used Car Dealers License Class II, Barnes & Walsh Co., 224 Somerville Ave., 5 autos.	186531 Approved
32Q.	Used Car	Renewal of Used Car Dealers License Class II, 429 Corp., 109-111 Prospect St., 5 autos.	186532 Approved

32R.	Used Car	Renewal of Used Car Dealers License Class II, Somerville Ave. Used Auto Sales, 595 Somerville Ave., 18 autos outside.	186533 Approved
32S.	Used Car	Renewal of Used Car Dealers License Class II, Gemicar Inc. dba Tech Auto Body, 9 Union Sq., 2 autos.	186534 Approved
32T.	Used Car	Renewal of Used Car Dealers License Class II, William Doucette Auto Sales, 325 Alewife Brook Pkwy, 2 autos inside, 30 outside.	186577 Approved
32U.	Used Car	Renewal of Used Car Dealers License Class II, Cambridge Auto Sales, 75 Park St., 23 autos.	186578 Approved
32V.	Used Car	Renewal of Used Car Dealers License Class II, Broadway Petroleum dba Teele Square Auto, 1284 Broadway, 2 autos.	186579 Approved
32W.	Used Car	Renewal of Used Car Dealers License Class II, Green Automotive Inc., 85 Foley St., 10 autos.	186580 Approved
32X.	Used Car	Renewal of Used Car Dealers License Class II, Hillside Jaguar dba Hillside Service Center, 45 Mystic Ave., 10 autos.	186581 Approved
33.	Committee Report	Report of the Committee on Finance, Dec. 10. No papers.	186621 Approved

COMMUNICATIONS OF THE MAYOR

34.	Mayor's Request	Requesting approval of the city's Draft 2008-2013 Open Space & Recreation Plan.	186622 Housing & Community Development
35.	Mayor's Request	Requesting approval of an ordinance prohibiting the consumption, sale or delivery of marijuana in public places or businesses licensed by the City.	186623 Legislative Matters
36.	Mayor's Request	Requesting approval to engage Robinson & Cole LLP as outside counsel to represent the City in litigation against the FAA and Massport over increased airport noise.	186624 Moved to Exec. Session (w/#186654), no votes taken in Exec. Session, Approved
37.	Mayor's Request	Requesting approval for the Elections Dept. to transfer \$13,000 from its PS and Postage Accts. to its Salaries Temporary and Salaries OT Accts., to cover expenses incurred during the Presidential Election.	186625 Approved

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| 38. | Mayor's Request | Requesting approval to expend a grant of \$400,000 Active Living By Design Healthy Kids, Healthy Communities Grant from the Robert Wood Johnson Foundation to the Health Dept. for the Shape Up Somerville Program. | 186626
Finance |
| 39. | Mayor's Request | Requesting approval to expend a grant of \$263,408.16 from the MA Office of Public Safety, for the Police's Community Policing programs, purchases or construction. | 186627
Finance |
| 40. | Mayor's Request | Requesting approval to expend a grant of \$114,000 from the MA Technology Collaborative for the Mayor's Office of Sustainability and Environment, to install a 10kw photovoltaic solar panel array at the Central Library and High School. | 186628
Finance |
| 41. | Mayor's Request | Requesting approval under G.L.c.268A to classify as Special Municipal Employees all members of the Technical Advisory Committee created to review requests for qualifications and requests for proposals for the Davis Sq. Hotel and parking garage property disposition. | 186629
Legislative Matters |
| 42. | Mayor's Request | Requesting the appointment of William Gage to the Somerville Redevelopment Authority. | 186630
Conf. of Appointments |
| 43. | Mayor's Request | Requesting the re-appointment of Michael Browne as Constable. | 186631
Approved |
| 44. | Mayor's Request | Requesting the re-appointment of James DiFraia as Constable. | 186632
Approved |
| 45. | Mayor's Request | Requesting the re-appointment of Ronald DiGiorgio as Constable. | 186633
Approved |
| 46. | Mayor's Request | Requesting the re-appointment of Frederick Mangone as Constable. | 186634
Approved |
| 47. | Mayor's Request | Requesting the re-appointment of Daniel Willinger as Constable. | 186635
Approved |
| 48. | Mayor's Request | Requesting the re-appointment of Mark Snider as Constable. | 186636
Approved |

COMMUNICATIONS OF CITY OFFICERS

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| 49. | Officer's Comm. | SPCD Director responding to various Board Orders. | 186637
Placed on File |
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NEW BUSINESS

50.	Public Occ	Public Occupancy Permit, Jingle Bell Run Road Race, Davis Sq., Dec. 14, 11AM (raindate Dec. 21).	186638 Approved
51.	Public Occ	Public Occupancy Permit, Loggers-Trice Wedding, Prospect Hill Park, Dec. 20, 10AM-2PM (raindate Dec. 21).	186639 Approved
52.	Drainlayer	New Drain Layer's License, R.A. Powell Construction Corp.	186640 Approved
53.	Sign	New Sign/Awning Permit, KB Investments Inc. dba PJ Ryan's, 239 Holland St., Awing.	186641 Approved
54.	Extended Hours	Amendment of Extended Hours License, Golden Light Restaurant, 24 College Ave., Su-Th to 1:30AM, Fr-Sa to 2AM.	186642 Licenses & Permits
55.	Used Car	Renewal of Used Car Dealers License Class II, Foreign Auto Wholesalers LLC, 80 Pearl St., 2 autos.	186643 Licenses & Permits
56.	Used Car	Renewal of Used Car Dealers License Class II, Broadway Auto Sales dba Sooren Inc., 525 Broadway., 11 autos.	186644 Licenses & Permits
57.	Used Car	Renewal of Used Car Dealers License Class II, Benny's Autos Sales, 508 Somerville Ave., 2 autos inside, 8 outside.	186645 Licenses & Permits
58.	Used Car	Renewal of Used Car Dealers License Class II, Unlimited Auto Body Inc., 471 Somerville Ave., 10 autos.	186646 Licenses & Permits
59.	Used Car	Renewal of Used Car Dealers License Class II, D.M. Auto Body Inc., 48 Joy St. 13 autos.	186647 Licenses & Permits
60.	Used Car	Renewal of Used Car Dealers License Class II, Prestige Auto Imports Inc. dba Webster Auto Sales, 61 Prospect St., 22 autos outside.	186648 Licenses & Permits
61.	Used Car	Renewal of Used Car Dealers License Class III, T.C. Auto Exchange, 176-178 Tremont St.	186649 Licenses & Permits
62.	Used Car	Renewal of Used Car Dealers License Class III, Joseph Talewsky & Son Inc., 512 Columbia St.	186650 Licenses & Permits
63.	Used Car	Renewal of Used Car Dealers License Class III, Joseph Talewsky & Son Inc., 517 Columbia St.	186651 Licenses & Permits
<u>LATE ITEMS</u>			
64.	Citation	By Ald. Taylor and the Entire Board, Congratulating Mary Russo on the auspicious occasion of her 100 th birthday.	186652 Approved

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| 65. | Order | By Ald. Trane, That the City Solicitor and Commissioner of DPW bring the owner of 1188 Broadway into compliance with promised streetscape improvements, or move for forfeiture of the performance bond. | 186653
Approved |
| 66. | Officer's Request | City Clerk requesting that this Board convene in Executive Session to consider the release of certain Executive Session Minutes, the publication of which would no longer defeat the purpose of the Executive Session. | 186654
Moved to Exec. Session (w/#186624), no votes taken in Exec. Session, Placed on File |
| 67. | Grant of Location | NextG Networks for grant of location to install conduit along Lowell St. | 186548
Discharged from Licenses & Permits, Approved |
| 68. | Order | By Ald. Desmond, That an Extended Hours of Operation License until 2AM be granted for the Golden Light Restaurant, 24 College Ave., for a temporary 48 hour period, beginning on Dec. 24. and ending Dec. 26. | 186655
Approved
Ald. Roche opposed |

Submitted by John J. Long, City Clerk