

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

MINUTES OF THE REGULAR MEETING

January 22, 2004, 7:00 PM
Aldermanic Chambers

<p><i>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.</i></p>
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PRESENT for all or part of the meeting: President Denise Provost, Vice President Bruce M. Desmond, Aldermen Dennis M. Sullivan, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Walter F. Pero, Sean T. O'Donovan, John M. Connolly, Robert C. Trane.

OPENING OF THE MEETING

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| 1. | Call of the Roll. | 175806
Placed on File |
| 2. | Reading and approval of the minutes of the meeting of December 23, 2003. | 175807
Approved |

PUBLIC HEARINGS

None

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

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| 3. | Resolution | By Ald. Pero, That this Board hereby acknowledges the service of World War II veteran Richard Massiglia, 380 Medford St., and offers its sincere thanks for his devotion to duty in defense of our great nation. | 175808
Adopted |
| 4. | Order | By Ald. Pero and Heuston, That the Superintendent of Inspectional Services and the Chief of Police report on the status of automobiles parking within the corner boundaries of 175 School St. and Medford St. | 175809
Adopted |
| 5. | Order | By Ald. Pero and O'Donovan, That the Director of Veterans Services report on the status of the Henry Hanson Park, located at Medford St. and Glenwood Rd. | 175810
Adopted as Amended:
That the Park sign be moved closer to the street |

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| 6. | Order | By Ald. Pero and White, That the Director of Traffic and Parking install a STOP sign and any other needed traffic calming devices at the corner of Fenwick and Heath Sts. | 175811
Adopted |
| 7. | Order | By Ald. Roche, That the Director of Traffic and Parking replace the missing Ellsworth St. sign at Rush St. | 175812
Adopted |
| 8. | Order | By Ald. Roche, That the Superintendent of Inspectional Services and the Chief Fire Engineer jointly investigate the burner/furnace installation at 14-16 Otis St., as it is emitting brown smoke with a strong odor. | 175813
Adopted |
| 9. | Order | By Ald. Roche, That the Superintendent of Inspectional Services and the Director of Health jointly investigate whether an illegal business is operating at 90 Broadway, specifically relating to a laundry. | 175814
Adopted |
| 10. | Order | By Ald. Roche, That the City Clerk send a communication to the managers of The Home Depot, 75 Mystic Ave., and Circuit City, 65 Mystic Ave., requesting that they appear before this Board's Committee on Public Health and Public Safety to explain what measures their companies are taking to eliminate the problems of illegal drug use and sales which are occurring in the facilities' parking lots. | 175815
Adopted
Copy to Public Health
and Safety |
| 11. | Order | By Ald. Roche, That the Director of Traffic and Parking monitor and tag vehicles at the dead end of Flint St. that do not have residential stickers. | 175816
Adopted |
| 12. | Order | By Ald. Roche, That the Director of Traffic and Parking replace the NO OUTLET sign at Flint St. as it has graffiti on it. | 175817
Adopted |
| 13. | Order | By Ald. Roche, That the Commissioner of Public Works repair the following potholes: 23 Franklin St., 24 Glen St., 9 Cross St., 8, 18 and 40 Otis St., and on Cross St. at Flint St. | 175818
Adopted |
| 14. | | Withdrawn. | |
| 15. | Order | By Ald. Roche, That the Superintendent of Inspectional Services inspect the premises at 23 Dell St. for an illegal apartment, overcrowded living conditions and/or a domicile in the basement. | 175819
Adopted |
| 16. | Order | By Ald. Roche, That the Director of Traffic and Parking install the missing RESIDENT PARKING ONLY sign on the odd side of Kensington Ave. near Blakely St. | 175820
Adopted |

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| 17. | Order | By Ald. Heuston, That the Chief of Police provide directed traffic management in Union Sq. on Saturdays from 10 AM to 3 PM to control double and triple parking from the corner of Bow St. to the center of the square along Somerville Ave. and also in the area of 161-179 Washington St. | 175821
Adopted |
| 18. | Order | By Ald. Heuston, That the Director of Traffic and Parking take action to restore the signage regarding parking regulations from 100 to 400 McGrath Hwy. | 175822
Adopted |
| 19. | Order | By Ald. Heuston, That the Director of Traffic and Parking and the Chief of Police enforce permit parking regulations along Dickinson St., especially after midnight. | 175823
Adopted |
| 20. | Order | By Ald. Heuston, That the police officer assigned to the Inspectional Services and Law Depts. inspect Sal's Garage, 6-8 Beacon St., for any and all license violations, and forward the review and license to this Board's Committee on Traffic and Parking and its Committee on Licenses and Permits. | 175824
Adopted
Copy to Traffic and
Parking & Licenses
and Permits |
| 21. | Order | By Ald. Sullivan, That the Director of Housing appear before the next meeting of this Board's Housing and Community Development Committee to present an update on housing issues. | 175825
Adopted
Copy to Housing and
Comm. Development |
| 22. | Order | By Ald. Sullivan and Roche, That the Commissioner of Public Works contact the Mass Highway Dept. and request that they remove the litter on a regular schedule in and around the property located on Sturtevant St, beneath Route 93 (where they store their salt and sand). | 175826
Adopted |
| 23. | Order | By Ald. Sullivan, Taylor and Pero, That the Commissioner of Public Works obtain estimates for the repair of the Veterans Memorial near City Hall and report same to this Board. | 175827
Adopted |
| 24. | Order | By Ald. O'Donovan, That the Director of Traffic and Parking conduct a study on the Boston Ave./Broadway intersection, particularly analyzing the Boston Ave. traffic and right-of-way issue. (4 th request.) | 175828
Adopted |
| 25. | Order | By Ald. O'Donovan, That the Chief of Police order directed patrols on Conwell and Francis Sts. due to recent reports of home break-ins. | 175829
Adopted |
| 26. | Order | By Ald. O'Donovan, That the Director of Traffic and Parking instruct the traffic control officers not to ticket motor vehicles parked facing east on the north side of Kidder Ave. at Boston Ave. | 175830
Adopted |

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| 27. | Order | By Ald. O'Donovan, That the Director of Health and the Director of the Disabilities Commission evaluate the handicap ramp between Fiske Ave. and the CVS municipal parking lot for ADA compliance. | 175831
Adopted |
| 28. | Order | By Ald. O'Donovan, That the Commissioner of Public Works and the Director of Engineering evaluate the flooding issue in and around 75 Cedar St. | 175832
Adopted |
| 29. | Order | By Ald. O'Donovan, That the Commissioner of Public Works advise this Board as to the criminal complaint against the Sabis Management Company at 61 Clyde St. | 175833
Adopted |
| 30. | Order | By Ald. O'Donovan, That the Director of Traffic and Parking take the necessary steps to remain open until 7 PM on Wednesdays. (4 th request.) | 175834
Adopted |
| 31. | Order | By Ald. O'Donovan, That the Commissioner of Public Works devise a plan to clean up and improve lower Highland Rd. at the bike path. | 175835
Adopted |
| 32. | Order | By Ald. O'Donovan, That the Commissioner of Public Works inspect and clean as necessary the sewer on Albion Place. | 175836
Adopted |
| 33. | Order | By Ald. Connolly, That the Director of Traffic and Parking report on the status of the new traffic signal at Cutter and Highland Aves., particularly with respect to the activation of the pedestrian control, and advise in writing prior to the next regular meeting of this Board. | 175837
Adopted |
| 34. | Order | By Ald. Connolly, That the Commissioner of Public Works notify the electric utility company to repair or replace the street lamp outside the convenience store at the intersection of Broadway and College Ave. opposite Powderhouse Park. | 175838
Adopted as Amended:
Also repair/replace the lighting in the Prospect Hill area from Putnam to Washington Sts. |
| 35. | Order | Withdrawn. | |
| 36. | Order | By Ald. Connolly, That the Chief of Police patrol the bus way between Grove St. and College Ave. as often as possible until the broken lights are repaired. | 175839
Adopted |
| 37. | Order | By Ald. Trane, That the Commissioner of Public Works repair the deep depression in the roadway at Mead St. and Cameron Ave. | 175840
Adopted |

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| 38. | Order | By Ald. Trane, That the Commissioner of Public Works repair the potholes at 62 Curtis St., 50 Sunset Rd., and 37 and 20 Sawyer Ave. | 175841
Adopted |
| 39. | Order | By Ald. Trane, That the Commissioner of Public Works and the Superintendent of Inspectional Services immediately remove the newspaper boxes at the following locations due to the lack of necessary permits: 4 boxes at 1137 Broadway, 5 boxes at 1295 Broadway, 4 boxes at 1159 Broadway, 7 boxes on Broadway at the Foodmaster Market, and 9 boxes on Broadway at the Clarendon Hill bus turnaround. | 175842
Adopted |
| 40. | Order | By Ald. Trane, That the Superintendent of Inspectional Services and the Director of Health inspect the property at 190 Boston Ave. as it appears to be abandoned and poses a health and safety risk. | 175843
Adopted |
| 41. | Order | By Ald. Taylor, That the Director of Health, the Superintendent of Inspectional Services and the Chief Fire Engineer inspect the vacant property at 8 Belmont St. for various health and safety violations and report back to the Ward 3 Alderman within 30 days. | 175844
Adopted |
| 42. | Resolution | By Ald. White, That the Administration provide this Board with its intentions as to monitoring stores that use bar code pricing, to insure that prices are properly displayed and accurately recorded at the register. | 175845
Adopted |
| 43. | Resolution | By Ald. White and Pero, That this Board send a communication to the Postmaster of Boston and the US Postal Service expressing this Board's shock and displeasure that the Postal Service would close the Winter Hill Post Office in the dead of winter and require patrons to wait in line in below freezing weather to use window service from a temporary trailer. | 1758465
Adopted |

UNFINISHED BUSINESS

None

COMMUNICATIONS FROM THE MAYOR

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| 44. | Mayor's Request | Requesting that Steven Cecil, Principal of the Cecil Group, be permitted to speak before the BOA to offer general comments in regard to his work with the City to move Assembly Square forward, on January 22, 2004. | 175847
Placed on File |
| 45. | Mayor's Request | Requesting that two city-owned vehicles be declared surplus city property and made available for sale (a 2000 Ford Explorer XLT and a 2002 Chevrolet Trail Blazer LS). | 175848
Rules Suspended and
Approved |

46.	Mayor's Request	Requesting the appointment of Babette Mello, 13 Lee St., to the Board of Health.	175849 Rules Suspended and Approved
47.	Mayor's Comm.	Conveying the Mayor's intention to issue an RFP for banking services.	175850 Placed on File
48.	Mayor's Comm.	Conveying the newly drafted Snow Emergency Plan.	175851 Rules Suspended and Approved
49.	Mayor's Comm.	Conveying the terms of the most recent Board appointments.	175852 Placed on File

REPORTS OF COMMITTEES

50.	Comm. Report	<u>Report of the Committee on Legislative Matters, January 13.</u>	175853 Report Severed: #175648 & #175051 returned to Legislative Matters; Remainder of Report Approved
50A.	Order	That the Code of Ordinances be amended to include the definition of 'single housekeeping unit' as defined within.	175854 Legislative Matters and Planning Board
50B.	Ordinance	That the attached amendment to the Somerville Zoning Ordinance, Article 9, 9.5.1, be implemented, changing the residential requirements for the number of parking spaced to include square footage of units.	175855 Legislative Matters and Planning Board
50C.	Resolution	That the licensing Commission consider enacting a regulation requiring that "fast food" or take-out food establishments provide trash receptacles outside of their premises and empty same at their own expense.	175856 Adopted
50D.	Order	That the Code of Ordinances be amended to include the definition of 'single housekeeping unit' as defined within.	172671 Placed on File
50E.	Mayor's Comm.	Requesting the adoption of MGL Ch. 87 as the Community Tree Ordinance for the City.	172983 Placed on File
50F.	Ordinance	Submitting the Responsible Employer Plan as an amendment to the city's Code of Ordinances.	173049 Placed on File
50G.	City Officer Comm.	City Solicitor responding to #173572 Re: requiring that trash be placed in appropriate containers.	173669 Placed on File

50H	Ordinance	That the Somerville Zoning Ordinance Article 9, 9.5.1, be changed to reflect residential requirements for number of parking spaces to include the square footage of units.	173907 Placed on File
50I.	City Officer Comm.	Asst. City Solicitor responding to #173575 re: Trash receptacles for fast food vendors.	173965 Placed on File
50J.	Mayor's Comm.	Requesting approval of the repeal of Ordinance 5-95 re: direct connections to the fire alarm system.	174313 Placed on File
50K.	City Officer Comm.	City Solicitor responding to #172382 re: motorized scooters	174325 Placed on File
50L.	City Officer Comm.	City Solicitor responding to #172382 re: revised motor scoot ordinance.	174763 Placed on File
50N.	City Officer Comm.	City Solicitor regarding the alteration of nonconforming structures.	174900 Placed on File
50O.	City Officer Comm.	Asst. City Solicitor re: Placement & Maintenance of News Racks ordinance	175051 Returned to Legislative Matters
50P.	City Officer Comm.	City Solicitor re: #174059 – Skateboarding.	175648 Returned to Legislative Matters
51.	Comm. Report	<u>Report of the Joint Committee on Legislative Matters and Finance, January 20.</u>	175857 Approved
51A.	Mayor's Comm.	Requesting approval of a draft request for Proposals and Land Disposition Agreement for disposition of the Conwell School.	175481 Approved as Amended: See Item
52.	Comm. Report	<u>Report of the Committee on Licenses and Permits, January 15.</u>	175858 Approved
52A	Used Car	Sing Cheung, 88 Dover St.	175601 Approved with Conditions: For licensure purposes only; no storage or activity allowed at 88 Dover St.
52B.	Used Car	James A. Kiley Co., 15 Linwood St.	175703 Approved
52C.	Used Car	Affordable Auto Sales Inc. d/b/a American Auto Gallery, 682 Mystic Ave.	175704 Approved

52D.	Used Car	Genicar Inc. d/b/a Tech Auto Body, 9 Union Sq.	175705 Approved
52E.	Used Car	Ideal Engine Rebuilders Inc., 49 Day St.	175706 Approved
52F.	Used Car	Barnes & Walsh, 224 Somerville Ave.	175707 Approved
52G.	Used Car	Cambridge Auto Sales, 75 Park St.	175708 Approved
52H.	Used Car	Auto Brokers, 182 Washington St.	175709 Approved
52I.	Used Car	D.M. Auto Body Inc., 48 Joy St.	175789 Approved
52J.	Used Car	Hawkins Street Automotive Service Co., 9 Hawkins St.	175791 Approved
52K.	Used Car	Isaac Auto Sales & Services, 486 Columbia St.	175792 Approved
52L.	Used Car	Mystic Auto Sales & Service, 712 Mystic Ave.	175793 Approved
52M.	Used Car	Green Automotive Inc., 85 Foley St.	175794 Approved
52N.	Used Car	A B J Foreign Auto Supply Inc., 91 Marshall St.	175795 Approved
53.	Comm. Report	<u>Report of the Committee on Veterans and Public Services, January 15.</u> No papers.	175859 Approved
54.	Comm. Report	<u>Report of the Committee on Information Technology, January 15.</u> No papers.	175860 Approved
55.	Comm. Report	<u>Report of the Committee on Confirmation of Appointments, January 20.</u>	175861 Approved
55A.	Mayor's Comm.	Requesting the re-appointment of Alan Bishop, 74 Highland Ave., Malden, as Constable.	175574 Approved
55B.	Mayor's Comm.	Requesting appointment of Francisco Andrade, 154 No. Warren Ave., Brockton to the position of Sworn Weigher.	175639 Approved

55C.	Mayor's Comm.	Requesting the appointment of Matthew Buckley, 238 Powdehouse Blvd. to the position of Assistant City Solicitor.	175778 Approved
55D.	Mayor's Comm.	Requesting the appointment of Richard Rossetti, 80 Electric Ave., to the Zoning Board of Appeals as an alternate member.	175781 Approved
55E.	Mayor's Comm.	Requesting the appointment of Joseph Thompson, 19 Greenville St., to the Redevelopment Authority.	175782 Approved
55F.	Mayor's Comm.	Robert Racicot, 4 Newman Pl., to the Condominium Review Board.	175783 Approved
55G.	Mayor's Comm.	Requesting the appointment of Salvatore Querusio, 8 Munroe St., to the Zoning Board of Appeals.	175803 Approved

COMMUNICATIONS FROM CITY OFFICERS

56.	City Officer Comm.	Planning Board re: an amendment to the Zoning Ordinance for Assembly Sq.	175862 Legislative Matters
57.	City Officer Comm.	Planning Board re: increasing the Project Mitigation Contribution for applicable projects from \$2.60 to \$3.91 per sq. ft.	175863 Legislative Matters
58.	City Officer Comm.	Finance Director responding to #175746 re: a mid-year summary of the City's financial performance in terms of revenue and departmental expenditures.	175864 Finance
59.	City Officer Comm.	Finance Dir. responding to #175745 re: overtime expenditures for FY04 year to date excluding the Police & Fire Depts.	175865 Placed on File
60.	City Officer Comm.	City Solicitor responding to #174059 re: prohibiting skateboarding in the area of Central Hill Park.	175866 Legislative Matters
61.	City Officer Comm	City Solicitor re: amending the Ethics Ordinance (Ch. 15).	175867 Legislative Matters

NEW BUSINESS

62.	Public Occ.	<u>Public Property Occupancy Permit</u> Tufts Cycling Team bike race on university and city roads for collegiate and USCF categories, April 3, 7AM-6PM.	175868 Licenses and Permits
63.	Used Car Lic.	<u>Renewal of Second Hand Auto License, Class II</u> Don Hector Auto Sales, 30 Joy St.	175869 Licenses and Permits

64.	Used Car Lic.	John's Auto Sales Inc., 181 Somerville Ave.	175870 Licenses and Permits
65.	Garage Lic.	<u>Renewal of Garage License</u> Willow Ave. Automotive Inc., 131 Willow Ave.	175871 Licenses and Permits
66.	Comm.	<u>Communication</u> Dennis Keefe, CEO, Cambridge Health Alliance responding to #175426 re: future short and long term plans for the East Somerville Health Clinic.	175872 Placed on File
67.	Claim	<u>Notice of Claim</u> Anthony DiGregorio.	175873 Placed on File
68.	Claim	Laila Habib.	175874 Placed on File
69.	Claim	Atty. Michael Stanco.	175875 Placed on File

ITEMS RECEIVED AFTER 2:00 PM

70.	City Officer Comm.	City Assessor responding to #175747 re: Proposition 2 ½	175876 Placed on File
71.	City Officer Comm.	DPW commissioner responding to various Board Orders.	175877 Placed on file
72.	Order	By Ald. Desmond and Taylor, That the Commissioner of Public Works request a written report from NStar on the cause and effect of a gas leak on Porter St. that has traveled underground to Summer St., eventually coming above ground at 218A Summer St.	175878 Adopted
73.	Order	By Ald. Desmond and Taylor, That the Commissioner of Public Works repair the pothole outside 223 Summer St.	175879 Adopted
74.	Order	By Ald. White, That the Clerk of Committees follow up with the Chief of Police and Chief Fire Engineer to request the report on overtime expenditures to date, as specified in #175744, adopted January 8.	175880 Adopted
75.	Resolution	By Ald. Provost, Clarifying that this Board's 11/13/03 Resolution on the Smoking Ban was made in support of principles of procedural access and fairness, and not on the merits of the ban itself, which is not within the jurisdiction of this Board.	175881 Adopted

Submitted by John J. Long, City Clerk