

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

**MINUTES OF THE REGULAR MEETING**

March 25, 2004, 7:00 PM  
Aldermanic Chambers  
\*\*\*\*\*

<p><i><b>NOTICE:</b> This is <b>NOT</b> 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>
---

**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**

- |    |  |                          |
|----|--|--------------------------|
| 1. | Call of the Roll.  | 176137<br>Placed on File |
| 2. | Reading and approval of the minutes of the meeting of February 26, 2004. | 176138<br>Approved       |

**PUBLIC HEARINGS**

None

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

- |    |          |   |                   |
|----|----------|---|-------------------|
| 3. | Citation | By the Entire Board, Commending The Very Reverend Vasilios Flionis for his contributions to the City on this celebration of Greek Independence Day.                           | 176139<br>Adopted |
| 4. | Order    | By Ald. Pero, That the Director of Heath inspect 3-5 Walter Terrace and report any violations of heath ordinances and regulations therein.                                    | 176140<br>Adopted |
| 5. | Order    | By Ald. Pero, That the Chief of Police order a directed patrol in the vicinity of Maple Ave. and School St. on Sat.-Sun. evenings to enforce traffic and parking regulations. | 176141<br>Adopted |
| 6. | Order    | By Ald. Pero, That the Director of Traffic and Parking initiate traffic calming measures and a traffic study on Marshall St. between Broadway and Pearl St.                   | 176142<br>Adopted |

- |     |            |  |                   |
|-----|------------|--|-------------------|
| 7.  | Resolution | By Ald. Pero, That this Board requests that the Mayor incorporate, in future negotiations with the SMEA units A and B, the inclusion of other city departments, agencies and buildings in the Thursday evening hours schedule for public accommodations.                       | 176143<br>Adopted |
| 8.  | Order      | By Ald. Pero, That the Director of Health inspect 368 Broadway, at the corner of Thurston St., for code violations.  | 176144<br>Adopted |
| 9.  | Order      | By Ald. Pero, That the Director of Health inspect 110-112 Thurston St. for rodent problems and bait and trap as necessary.   | 176145<br>Adopted |
| 10. | Order      | By Ald. Pero, That the Commissioner of Public Works inspect 394 Medford St. for proper construction and occupancy permitting.  | 176146<br>Adopted |
| 11. | Order      | By Ald. Pero, That John Hannah, Youth Development Program Coordinator, appear before this Board to update the members on youth programming and operational issues.   | 176147<br>Adopted |
| 12. | Resolution | By Ald. O'Donovan and Taylor, That the Traffic Commission consider moving one or more handicap parking spaces to the front door of the High School.  | 176148<br>Adopted |
| 13. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works and the City Engineer consider expansion of the underground storm drainage system at 75 Cedar St. to prevent flooding during heavy storms.  | 176149<br>Adopted |
| 14. | Order      | By Ald. O'Donovan, That the Superintendent of Inspectional Services and the Director of Health contact the owner of 58 Rogers Ave. regarding the condemned condition of that residence.  | 176150<br>Adopted |
| 15. | Order      | By Ald. O'Donovan, That the Superintendent of Lights and Lines continue to rectify issues at 5-7 Lowell Terrace.   | 176151<br>Adopted |
| 16. | Order      | By Ald. Heuston, That the Director of Traffic and Parking report to this Board the guidelines for issuing business permit stickers for particular areas and the calculations used for the number of permits issued.  | 176152<br>Adopted |
| 17. | Order      | By Ald. Heuston, That the Chief of Police order a directed patrol to monitor the illegal use of Houghton St. as a two-way street from Prospect St., and that the Director of Traffic and Parking ensure the signage for Houghton St. as a one way street is clear and visible. | 176153<br>Adopted |

- |     |            |  |   |
|-----|------------|--|---|
| 18. | Order      | By Ald. Heuston, That the Commissioner of Public Works repair the pothole on Preston Rd.   | 176154<br>Adopted   |
| 19. | Resolution | By Ald. Taylor, That the Dedication Committee plant a tree at Prospect Hill Park in memory of Paul Cowley.   | 176155<br>Adopted as Amended:<br>That a private party will provide the tree, and that the DPW be asked to help                  |
| 20. | Order      | By Ald. Taylor, O'Donovan, Provost, White, Desmond and Sullivan, That the Superintendent of Inspectional Services give this Board an update as to the intentions of the owner of 199-201 Highland Ave. regarding its occupancy and use.                                | 176156<br>Adopted   |
| 21. | Order      | By Ald. Sullivan and Roche, That the Director of Health notify this Board about plans to address the problem of drug abuse in the city.  | 176157<br>Adopted as Amended:<br>That the Director appear at a BOA meeting to discuss this                                      |
| 22. | Order      | By Ald. Sullivan and Roche, That the Commissioner of Public Works contact Mass Highway to request that Middlesex Ave., specifically in front of Home Depot and Circuit City, be cleaned, and that a copy of this order be sent to our State Delegation.                | 176158<br>Adopted   |
| 23. | Order      | By Ald. Sullivan and Roche, That the Commissioner of Public Works request that Mass Highway remove the trash in and around their yard on Sturtevant St. underneath Route 93, and that a copy of this order be sent to our State Delegation. (2 <sup>nd</sup> request.) | 176159<br>Adopted as Amended:<br>That the Director of Health determine if Mass Highway is operating an illegal transfer station |
| 24. | Order      | By Ald. Sullivan and Taylor, That a representative of the Office of Housing and Community Development contact the MBTA and request that a bus stop shelter be installed in front of Brady Towers at 252 Medford St.  | 176160<br>Adopted   |
| 25. | Order      | By Ald. Connolly, That the Superintendent of Inspectional Services and the Director of Health inspect 5 Chandler St. for any and all building and/or zoning code violations and take action to ensure compliance.  | 176161<br>Adopted   |
| 26. | Order      | By Ald. Connolly, That the Superintendent of Inspectional Services and the Director of Health inspect 51 Walker St. for any and all building and/or health code violations, and take action to ensure compliance.  | 176162<br>Adopted   |

- |     |            |  |                   |
|-----|------------|--|-------------------|
| 27. | Order      | By Ald. Connolly, That the Chief of Police order a directed patrol in the vicinity of the Holland St. Au Bon Pain adjacent to the T stop, looking for illegal deliveries between 1-6 AM on a daily basis, and take any and all action necessary to curtail the early morning deliveries. | 176163<br>Adopted |
| 28. | Order      | By Ald. Connolly, That the Commissioner of Public Works paint over the graffiti tag on the corner of Morrison and Willow Aves., on the side of the convenience store, and request the assistance of the building owner to supply material to complete the job.                           | 176164<br>Adopted |
| 29. | Order      | By Ald. Trane, That the Commissioner of Public Works review the contract for sidewalk replacement from the past year to see if it includes the replacement of street signage where sidewalks have been installed.  | 176165<br>Adopted |
| 30. | Order      | By Ald. Trane, That the Commissioner of Public Works repair the deep depressions in the roadway on Weston Ave. near the intersection of Broadway.  | 176166<br>Adopted |
| 31. | Order      | By Ald. Trane, That the Director of Traffic and Parking enforce the parking regulations in the Teele Square area along Holland St. to Cameron Ave.   | 176167<br>Adopted |
| 32. | Order      | By Ald. Trane, That the Commissioner of Public Works contact Mass Highway and ask that they remove the tree at High St. and Alewife Brook Pkwy., as it blocks the pedestrian signal at this location.  | 176168<br>Adopted |
| 33. | Resolution | By Ald. Trane, White, Provost, Desmond and Sullivan, That this Board requests that the State Delegation direct the State Police to increase traffic enforcement on Alewife Brook Pkwy. for speed and pedestrian light violations.  | 176169<br>Adopted |
| 34. | Order      | By Ald. Trane, That the Superintendent of Lights and Lines investigate an upgrade in the lighting at Packard Ave. and Powderhouse Blvd.  | 176170<br>Adopted |

### **UNFINISHED BUSINESS**

None

### **COMMUNICATIONS FROM THE MAYOR**

- |     |                 |   |   |
|-----|-----------------|---|---|
| 35. | Mayor's Request | Requesting the appropriation of \$2,500,000 for improvements related to reconstructing Somerville Ave.              | 176171<br>Finance                         |
| 36. | Mayor's Request | Requesting approval to expend a \$20,000 grant from the Mass. Technology Collaborative for the Green Schools Pilot. | 176172<br>Rules Suspended and<br>Approved |

37.	Mayor's Request	Requesting approval of a Land Disposition Agreement for Visiting Nurse Assisted Living Inc. to acquire and develop the Conwell School site.	176173 Finance
38.	Mayor's Comm.	Conveying a newly drafted report of the Municipal Property Review Committee.	176174 Finance
39.	Mayor's Request	Requesting the appointment of Allan Fitzmaurice, 362 Washington Ave., Chelsea, as Constable.	176175 Conf. of Appointment
40.	Mayor's Request	Requesting the re-appointment of Chris DiLorenzo, 201 College Ave., and John Carroll, 53 Dudley St., Medford, as Constable.	176176 Rules Suspended and Approved

### **REPORTS OF COMMITTEES**

41.	Committee Report	<b><u>Report of the Committee of the Whole on Legislative Matters, Mar. 18.</u></b> No papers.	176177 Approved
42.	Committee Report	<b><u>Report of the Committee on Legislative Matters in Joint Session with the Planning Board, Mar. 18.</u></b> No papers.	176178 Approved
43.	Committee Report	<b><u>Report of the Committee on Legislative Matters, Mar. 23.</u></b> No papers.	176179 Approved
44.	Committee Report	<b><u>Report of the Committee on Legislative Matters, Mar. 24.</u></b> No papers.	176180 Approved
45.	Committee Report	<b><u>Report of the Committee on Licenses and Permits, Mar. 23.</u></b>	176181 Approved
45A.	Used Car Lic.	<u>Renewal of Used Car License Class 2</u> Executive Auto Leasing and Sales, 30 Medford St.	175790 Approved with Conditions: Petitioner to provide a written lease for 3 spaces; No parking on South, Bedford, or Medford Sts.; ISD and Fire to inspect and approve
45B.	Garage Lic.	<u>Renewal of Garage License</u> Drain Doctor Inc., 612 Broadway.	176126 Approved
45C.	Flam. Lic.	<u>Renewal of Flammables License</u> Tufts University, 17 Latin Way.	176127 Approved

45D.	Flam. Lic.	Tufts University, 61 Talbot Ave.	176128 Approved
45E.	Public Occ.	<u>Public Property Occupancy Permit</u> Shape Up Somerville 5k Run/Walk/Fair, Trum Field to Teele Sq., Sept. 26 from 11AM-3PM.	176051 Approved
46.	Committee Report	<u>Report of the Committee on Confirmation of Appointments, Mar. 23.</u>	176182 Approved
46A.	Mayor's Request	Requesting the appointment of the attached list of constables: William Duarte, Thomas DelMedico, Arthur Hamilton Jr.	176031 Approved
46B.	Mayor's Request	Requesting the appointment of John Gannon, 158 Spring St., Watertown, as City Solicitor.	176108 Approved
46C.	Mayor's Request	Requesting the appointment of John Kiely, 49 Holyoke Rd., to the Redevelopment Authority.	176109 Approved
46D.	Mayor's Request	Requesting the appointment of Andrea Shapiro, 11 Belmont Place, to the Affordable Housing Trust Commission.	176134 Approved

#### COMMUNICATIONS FROM CITY OFFICERS

47.	City Officer Comm.	Police Chief responding to #176086 re: controlling and monitoring nightly deliveries and pickups at the bakery at 201 Somerville Ave.	176183 Placed on File
48.	City Officer Comm.	Police Chief responding to #176069 re: ordering a directed patrol in the Union Sq. area between Stone and Bonner Aves., Sundays from 11PM-2:30AM.	176184 Placed on File
49.	City Officer Comm.	Police Chief responding to #176054 re: incident at 391 Medford St. on Feb. 22.	176185 Placed on File
50.	City Officer Comm.	DPW Operations Director responding to #176116 re: DPW participation in a dog run committee.	176186 Placed on File

#### NEW BUSINESS

51.	Public Occ.	<u>Public Property Occupancy Permit</u> Portuguese American Civic League Annual Holy Ghost Feast to the Holy Spirit, July 9-10 from 7PM-Midnight, July 11 from 10AM-Midnight.	176187 Rules Suspended and Approved
52.	Public Occ.	College Ave. United Methodist Church Annual Ecumenical Palm Sunday Parade, April 4 from 9-10AM.	176188 Rules Suspended and Approved

53.	Public Occ.	Somerville Cares About Prevention Coalition “National Alcohol Screening Day”, Davis Sq. T Station, April 8 from 11AM-2PM.	176189 Rules Suspended and Approved
54.	Public Occ.	Somerville Homeless Coalition “Ride2Love” Benefit, Trum Field, June 6 from 8AM-4PM.	176190 Rules Suspended and Approved
55.	Public Occ	9 <sup>th</sup> Annual Somerville Homeless Coalition Road Race registration, brunch and awards ceremony, Seven Hills Park and Davis Sq., Oct. 3 from 7AM-1PM.	176191 Rules Suspended and Approved
56.	Public Occ.	9 <sup>th</sup> Annual Somerville Homeless Coalition Road Race, Holland St. to Elm St. to Somerville Ave, Oct. 3 from 10-11AM.	176192 Rules Suspended and Approved
57.	Public Occ.	Matthew J. O’Brien Tournament, Conway Park Basketball Court and Roller Hockey Rink, Somerville Ave., June 12-13 from 7AM-11PM.	176193 Rules Suspended and Approved
58.	Public Occ.	Somerville Allied Veterans Council Canning Drive, McGrath Highway & Davis Sq., April 17 & 24, May 1, 8 & 15 from 8AM-4PM.	176194 Rules Suspended and Approved
59.	Public Occ.	Somerville 6 <sup>th</sup> Annual Open Studios 2004 Event, 87 locations citywide, May 1-2 from Noon-6PM.	176195 Rules Suspended and Approved
60.	Public Occ.	March to Abolish Poverty Rally and March, Welcome Project to Davis Square, April 2 from 2-6 PM.	176196 Rules Suspended and Approved
61.	Sign/Awning	<b><u>New Sign or Awning Permit</u></b> Hollywood Express, 238 Elm St.	176197 Licenses and Permits
62.	Sign/Awning	Dino’s Pizzeria, 8 Highland Ave.	176198 Licenses and Permits
63.	Junk Dealer	<b><u>Renewal of Junk Dealer License</u></b> Prospect Iron & Steel Corp., 40 Bennett St.	176199 Licenses and Permits
64.	Comm.	<b><u>Communication</u></b> Lawrence Paoletta, 42 Oxford St., re: Proposed Assembly Sq. zoning.	176200 Legislative Matters
65.	Comm.	Barbara Cassesso, 9 Wisconsin Ave re: Proposed Assembly Sq. zoning.	176201 Legislative Matters
66.	Comm.	Lanny Evarts, 230 Fellsway, re: Proposed Assembly Sq. zoning.	176202 Legislative Matters

- |     |       |  |                               |
|-----|-------|--|-------------------------------|
| 67. | Comm. | Mark Howland, 15 Pleasant St., re: Proposed Assembly Sq. zoning.               | 176203<br>Legislative Matters |
| 68. | Comm. | Molly Ruggles, 17 Wyatt St., re: Proposed Assembly Sq. zoning.                 | 176204<br>Legislative Matters |
| 69. | Comm. | Bill Shelton re: Proposed Assembly Sq. zoning.                                 | 176205<br>Legislative Matters |
| 70. | Claim | <b><u>Notice of Claim</u></b><br>Plymouth Rock Assurance Corp./Thomas Carroll. | 176206<br>Placed on File      |
| 71. | Claim | Honorio and Natalia Desouza.   | 176207<br>Placed on File      |
| 72. | Claim | John P. LeGrand and Assoc., P.C./Michael J. Young.                             | 176208<br>Placed on File      |

**ITEMS RECEIVED AFTER 2:00 PM**

- |     |                       |  |                          |
|-----|-----------------------|--|--------------------------|
| 73. | City Officer<br>Comm. | DPW Commissioner responding to various Board Orders. | 176209<br>Placed on File |
|-----|-----------------------|--|--------------------------|

**Submitted by John J. Long, City Clerk**