

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

MINUTES OF THE REGULAR MEETING

April 8, 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>
--

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. | 176212
Placed on File |
| 2. | Reading and approval of the minutes of the Special Meetings of March 1 and March 4, 2004, and the Regular Meeting of March 11, 2004. | 176213
Approved |

PUBLIC HEARINGS

None

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

- | | | | |
|----|----------|---|-------------------|
| 3. | Citation | By Ald. Pero, congratulating Kathleen Carey on the happy occasion of her fiftieth birthday, and for her dedicated service to our City and its Veterans. | 176214
Adopted |
| 4. | Order | By Ald. Pero, That the Director of Traffic and Parking report on the signage in front of 212 School St. and at the corner of School and Howe Sts. | 176215
Adopted |
| 5. | Order | By Ald. Pero, That the Director of Health inspect the side yard at the corner of Medford and Lee Sts. for possible code violations. | 176216
Adopted |

- | | | | |
|-----|------------|--|-------------------|
| 6. | Order | By Ald. Pero, That the Commissioner of Public Works report on the City Arborist's inspection of the tree at 34 Puritan Rd. | 176217
Adopted |
| 7. | Order | By Ald. Pero and Taylor, That the Director of Housing and Community Development report on the status of the building and repair of the Sycamore St. Bridge. | 176218
Adopted |
| 8. | Order | By Ald. Taylor, That the Director of Traffic and Parking review the intersection of Highland Ave. and Hamlet St. for public safety and moving vehicle bottleneck issues and make recommendations for a resolution. | 176219
Adopted |
| 9. | Order | By Ald. Taylor, That the Director of Traffic and Parking review the parking problem on Central St. between Summer St. and Somerville Ave., and make recommendations concerning even side permit parking for residents only. | 176220
Adopted |
| 10. | Order | By Ald. Taylor, That the Director of Traffic and Parking review the parking problems on Crown St. and entertain the possibility of installing a temporary HANDICAP PARKING sign at 47-49 Crown St. to accommodate the needs of the disabled resident at that address. | 176221
Adopted |
| 11. | Order | By Ald. Taylor, That the Commissioner of Public Works make arrangements to replace the asphalt sidewalk on Greenville Terrace with concrete. | 176222
Adopted |
| 12. | Order | By Ald. O'Donovan, That the Commissioner of Public Works remove the bicycle attached to the street sign pole on Albion St. at Central St. since last August. | 176223
Adopted |
| 13. | Resolution | By Ald. O'Donovan, That the Traffic Commission and/or Deputy Chief Graney inform the Ward 5 Alderman of the status of the fire lane on Albion St. at Central St. | 176224
Adopted |
| 14. | Order | By Ald. Connolly, That the Commissioner of Public Works repair the potholes at 100 and 103 Orchard St. | 176225
Adopted |
| 15. | Order | By Ald. Connolly, That the Director of Health inspect 165 and 187 College Ave. for careless disposal of trash in the front of the properties, and take all actions necessary to prevent a reoccurrence. | 176226
Adopted |
| 16. | Order | By Ald. Connolly, that the Superintendent of Inspectional Services and the Director of Health inspect 79 Irving St. for any and all Building and/or Health code violations, especially the careless storage of trash in front of the property, and take all necessary actions including sanctions. | 176227
Adopted |

- | | | | |
|-----|------------|---|--|
| 17. | Order | By Ald. Connolly, That the Commissioner of Public Works clean the debris collected around the fire gate near the intersection of Grove St. and Winslow Ave. | 176228
Adopted |
| 18. | Order | By Ald. Connolly, That the Commissioner of Public Works repair the roadway on College Ave. near the intersection of Broadway (opposite the Powderhouse convenience store). | 176229
Adopted |
| 19. | Resolution | By Ald. Connolly, O'Donovan and the Entire Board, That this Board requests that the Chairman of the Licensing Commission and the Honorable Board not grant 2 AM licenses to those applicants within 100 yards of residential homes and neighborhoods in order to preserve the quality of life and the safety of the public. | 176230
Adopted as Amended:
That the Commission also adopt guidelines for 2AM closings, and receive a videotape of this BOA meeting |
| 20. | Resolution | By Ald. Connolly, O'Donovan and the Entire Board, That this Board requests that the Chairman of the Licensing Commission reschedule the 2 AM closing applications to a later date, and convene at City Hall, starting at 7 PM. | 176231
Adopted |
| 21. | Order | By Ald. Heuston, That the Director of Traffic and Parking return the NO PARKING signs to the odd numbered side of Springfield St., since the signs were removed when the street construction was completed. | 176232
Adopted |
| 22. | Order | By Ald. Heuston, That the Chief of Police order a directed patrol to monitor activity at the Twin City Plaza during late evening and early morning hours and provide a report to the Ward 2 Alderman regarding noise and the congregation of vehicles which cause disturbances to the neighborhood. | 176233
Adopted |
| 23. | Order | By Ald. Heuston, That the Superintendent of Inspectional Services inspect the business known as Inman Motors, on Prospect St., for any and all building and license violations. | 176234
Adopted |
| 24. | Order | By Ald. Trane, That the Commissioner of Public Works replace the missing trash barrel at the corner of North St. and Broadway and place a chain on this barrel to secure it. | 176235
Adopted |
| 25. | Order | By Ald. Trane, That the Chief of Police direct the Taxi Bureau to inform Green Cab that they should not be using the horn to signal their arrival when making late night pick ups, especially when in residential areas. | 176236
Adopted |
| 26. | Order | By Ald. Trane, That the Commissioner of Public Works inform the Cambridge Public Works Commissioner that permission is required before any Somerville street may be closed down and that a police detail is required when any such shut down is necessary. | 176237
Adopted |

- | | | | |
|-----|-------|---|---|
| 27. | Order | By Ald. Trane, That the Director of Traffic and Parking update the Ward 7 Alderman on the ongoing repairs to the traffic signal in front of the Clarendon Hill Towers. | 176238
Adopted |
| 28. | Order | By Ald. Trane, Heuston and Sullivan, That the Chief of Police or his designee appear at the next scheduled meeting of this Board's Youth Committee to discuss what efforts are underway for enforcement issues regarding oxycontin. | 176239
Adopted
Copy to Public Health and Safety |
| 29. | Order | By Ald. Desmond, That the Chief of Police and the Director of Health appear before the Committee on Public Health and Public Safety to discuss what the city is presently doing and can do in the future to reduce and ultimately eliminate the problem of underage drinking in the City. | 176240
Adopted |
| 30. | Order | By Ald. Desmond, That the Clerk of Committees invite a representative of the Chamber of Commerce to take part in a future meeting of the Committee on Public Health and Public Safety, to discuss underage drinking and what the city is presently doing and can do in the future to reduce and ultimately eliminate the problem. | 176241
Adopted |
| 31. | Order | By Ald. Desmond, That the Director of Health begin organizing a group of liquor retailers, both on-premise and off-premise licensees, to form a Liquor Advisory Board, to assist the city with the task of reducing and ultimately eliminating the problem of under age drinking. | 176242
Laid on Table |
| 32. | Order | By Ald. Desmond and Heuston, That the City Solicitor and the Commissioner of Public Works report to this Board how and when 5 Granite St. changed from a 2-family to a 3-family without the proper process taking place. | 176243
Adopted |
| 33. | Order | By Ald. Desmond and Taylor, That the Director of Traffic and Parking remove or replace the street sign pole at the intersection of Summer and Bow Sts., as it is bent at a 45° angle, is missing its sign and is posing a pedestrian hazard. | 176244
Adopted |
| 34. | Order | By Ald. Roche, That the Director of Traffic and Parking post RESIDENTS ONLY, 7-9AM & 4-6PM signs at Jasper and Pearl Sts. | 176245
Adopted |
| 35. | Order | By Ald. Roche, That the Chief of Police monitor New Washington St. for trucks that idle overnight causing noise and health hazards for residents of the Cobble Hill Apts. | 176246
Adopted |
| 36. | Order | By Ald. Roche, That the Commissioner of Public Works inspect 7 Dell St. for any and all code violations, specifically pertaining to construction in the basement. | 176247
Adopted |

- | | | | |
|-----|------------|---|-------------------|
| 37. | Order | By Ald. Roche, That the Commissioner of Public Works inspect 70 Otis St. for proper permitting of the removal and rebuilding of a rear deck. | 176248
Adopted |
| 38. | Order | By Ald. Roche, That the Chief of Police monitor Florence Playground for youths hanging around after dusk. | 176249
Adopted |
| 39. | Order | By Ald. Roche, That the Chief of Police set up speed traps on Franklin St. near Washington St. as residents have claimed vehicles are speeding on a regular basis. | 176250
Adopted |
| 40. | Resolution | By Ald. White and Provost, That the administration email to each member of this Board any press releases posted on the City's web site at the same time they are posted. | 176251
Adopted |
| 41. | Order | By Ald. White, That a representative of the Office of Housing and Community Development inform this Board prior to April 19, 2004, whether any city railroad crossings are affected by the new Federal Railway Administration rule requiring all trains to sound their horns at every public rail crossing and, if so, whether OHCD has filed any appeals to designate such crossings as "quiet zones." | 176252
Adopted |

UNFINISHED BUSINESS

None

COMMUNICATIONS FROM THE MAYOR

- | | | | |
|-----|-----------------|---|--------------------------|
| 42. | Mayor's Request | Requesting approval appropriating \$948,053 for the City's participation in the Mass. Water Resources Authority. | 176253
Finance |
| 43. | Mayor's Request | Requesting approval to expend a \$92,813 grant for energy related costs incurred since opening the Capuano School. | 176254
Finance |
| 44. | Mayor's Request | Requesting the approval of an extension of the Coviello Electric and General Contracting Co. contract for the period of July 31, 2003 to June 30, 2004. | 176255
Finance |
| 45. | Mayor's Comm. | Announcing a series of workshops, in cooperation with the Counselors to America's Small Businesses and the US SBA, to assist existing and potential small businesses in the City. | 176256
Placed on File |
| 46. | Mayor's Comm. | Regarding the results of the formal procurement process for banking services used by the city. | 176257
Placed on File |
| 47. | Mayor's Comm. | Responding to #176009 re: Police Study recommendations. | 176258
Placed on File |

- | | | | |
|-----|------------------|---|--------------------------|
| 48. | Mayor's
Comm. | Responding to a request to provide a listing of all municipally owned property. | 176259
Placed on File |
|-----|------------------|---|--------------------------|

REPORTS OF COMMITTEES

- | | | | |
|------|---------------------|---|--------------------|
| 49. | Committee
Report | <u>Report of the Committee on Finance, March 30,</u> | 176260
Approved |
| 49A. | Mayor's
Request | Requesting a declaration of availability of real property for disposition for 2 city owned parking spaces to be leased for up to 5 years for a car sharing program. | 176106
Approved |
| 50. | Committee
Report | <u>Report of the Committee on Licenses and Permits, April 1.</u> | 176261
Approved |
| 50A. | Sign/Awning | <u>New Sign or Awning Permit</u>
Hollywood Express, 238 Elm St. | 176197
Approved |
| 50B. | Sign/Awning | Dino's Pizzeria, 8 Highland Ave. | 176198
Approved |
| 51. | Committee
Report | <u>Report of the Committee on Legislative Matters, March 30.</u>
No papers. | 176262
Approved |
| 52. | Committee
Report | <u>Report of the Committee on Legislative Matters, April 1.</u>
No papers. | 176263
Approved |
| 53. | Committee
Report | <u>Report of the Committee on Legislative Matters, April 7.</u>
No papers. | 176264
Approved |

COMMUNICATIONS FROM CITY OFFICERS

- | | | | |
|-----|-----------------------|--|-------------------------------|
| 54. | City Officer
Comm. | Planning Board re: Proposed amendment to replace the existing Assembly Square Interim Planning District with a new Assembly Square Mixed Use District. | 176265
Legislative Matters |
| 55. | City Officer
Comm. | Planning Board re: Off-street parking requirement for residential units. | 176266
Legislative Matters |
| 56. | City Officer
Comm. | Planning Board re: Amendment to create a definition for Single Housekeeping Unit within the Zoning Ordinance. | 176267
Legislative Matters |
| 57. | City Officer
Comm. | Traffic and Parking Acting Director responding to #176152 re: Guidelines for issuing business permit stickers. | 176268
Placed on File |
| 58. | City Officer
Comm. | Traffic and Parking Acting Director responding to #176148 re: Handicap parking spaces at the High School. | 176269
Placed on File |

- | | | | |
|-----|-----------------------|---|--------------------------|
| 59. | City Officer
Comm. | Chief of Police responding to #176141 re: Directed patrols in the vicinity of Maple Ave. and School St. on Saturday and Sunday evenings. | 176270
Placed on File |
| 60. | City Officer
Comm. | Chief of Police responding to #176153 re: Directed patrols to monitor the illegal use of Houghton St. as a 2-way street. | 176271
Placed on File |
| 61. | City Officer
Comm. | Chief of Police responding to #176163 re: Directed patrols in the vicinity of the Holland St. Au Bon Pain looking for illegal deliveries between 1-6AM daily. | 176272
Placed on File |

NEW BUSINESS

- | | | | |
|-----|--------------------------|---|---|
| 62. | Public Occ. | <u>Public Property Occupancy Permit</u>
High School Girl's Swim Team Car Wash Fundraiser, Concourse, April 24 from 9AM-2PM. | 176273
Rules Suspended and
Approved |
| 63. | Public Occ. | Somerville Road Runner's Gobble Gobble Road Race, Davis Square, Nov. 25. | 176274
Rules Suspended and
Approved |
| 64. | Public Occ. | Kids' Day Carnival, Tufts Campus, April 17 from 9AM-3:30PM. | 176275
Rules Suspended and
Approved |
| 65. | Public Occ. | Somerville Recreation Road Race, High School Concourse, April 25 at 10AM. | 176276
Rules Suspended and
Approved |
| 66. | Public Occ. | Mass. Motorcycle Assoc. Lobbying Day Ride to the State House, Assembly Square, May 20 from 8:30-11:15AM. | 176277
Rules Suspended and
Approved |
| 67. | Public Occ. | Redbones 8 th Annual Bike to Work Week Party Benefit, Chester Ave., May 17 from 5-10PM. | 176278
Rules Suspended and
Approved |
| 68. | Public Occ. | Davis Square Farmers Market, Day and Herbert St. Parking Lot, Wednesdays, May 26–Nov. 24, from 9AM-7PM. | 176279
Rules Suspended and
Approved |
| 69. | Public Occ. | Somerville Lions Canning Drive Fundraiser, McGrath Highway at Broadway, May 22 from 8AM-4PM. | 176280
Rules Suspended and
Approved |
| 70. | Extended
Retail Hours | <u>Renewal of Extended Retail Hours</u>
Haddad Service Station Inc., 205 Broadway, 24 hrs/7 days. | 176281
Licenses and Permits |
| 71. | Extended
Retail Hours | McDonald's, 14 McGrath Hwy., 24 hrs/7 days. | 176282
Licenses and Permits |

72.	Outdoor Parking	<u>Renewal of Outdoor Parking License</u> Nissenbaum's Auto Parts Inc., 494 Columbia St.	176283 Licenses and Permits
73.	Outdoor Parking	Nissenbaum's Auto Parts Inc., 500 Columbia St.	176284 Licenses and Permits
74.	Outdoor Seating	<u>Renewal of Outdoor Seating License</u> India Palace, 23 Union Sq.	176285 Licenses and Permits
75.	Junk Dealer	<u>Renewal of Junk Dealer License</u> Nissenbaum's Auto Parts Inc., 480 Columbia St.	176286 Licenses and Permits
76.	Junk Dealer	Atlas Junk Co., 475 Columbia St.	176287 Licenses and Permits
77.	Junk Dealer	GEAR, 160 Highland Ave.	176288 Licenses and Permits
78.	Junk Dealer	W. James Herbert dba Londontowne Galleries, 380-388 Somerville Ave.	176289 Licenses and Permits
79.	Junk Dealer	Talewsky Enterprise Inc./Joseph Talewsky & Son Inc., 508 Columbia St.	176290 Licenses and Permits
80.	Transient Vendor	<u>Renewal of a Transient Vendor License</u> Paul Walker, 642A Somerville Ave., selling flowers, potted plants and related items.	176291 Licenses and Permits
81.	Garage and Flammable	<u>Renewal of Garage and Flammable License</u> Sal's Auto Body Inc., 6-8 Beacon St.	176292 Rules Suspended and Approved with Conditions: All taxes to be paid; hours M-F 8-6, Sat 8-1, Sun closed; no spray painting; no parking on Beacon or Dickinson Sts.
82.	Billiards	<u>Renewal of Billiard, Pool and Bowling Alley License</u> Codder's Inc. dba Casey's, 173 Broadway.	176293 Licenses and Permits
83.	Drain Layer	<u>Renewal of Drain Layer License</u> C.J. Doherty Inc., 173 Woburn St., Medford.	176294 Rules Suspended and Approved
84.	Drain Layer	Caruso & McGovern Construction Inc., One Industrial Way, Georgetown.	176295 Rules Suspended and Approved

- | | | | |
|-----|-------------------|---|---|
| 85. | Drain Layer | JRF Corporation, PO Box 600787, Newtonville. | 176296
Rules Suspended and
Approved |
| 86. | Drain Layer | JW DeNapoli Inc., 26 Dudley St., Arlington. | 176297
Rules Suspended and
Approved |
| 87. | Drain Layer | Joseph P. McCabe Inc., 509 East First St., Boston. | 176298
Rules Suspended and
Approved |
| 88. | Taxi Driver | <u>New Taxi Driver License</u>
Angelo Piard, 90 Medford St., Medford. | 176299
Rules Suspended and
Approved |
| 89. | Taxi
Medallion | <u>Transfer of Taxicab Medallion</u>
Love-Genois Inc., #15. | 176300
Rules Suspended and
Approved |
| 90. | Taxi Stand | <u>Renewal of Taxi Stand License</u>
Green and Yellow Cab Co., 255 Elm St. | 176301
Rules Suspended and
Approved |
| 91. | Taxi Stand | Green and Yellow Cab Co., 121 Broadway. | 176302
Rules Suspended and
Approved |
| 92. | Taxi Stand | Green and Yellow Cab Co., 22-26 Union Sq. | 176303
Rules Suspended and
Approved |
| 93. | Taxi Stand | Green and Yellow Cab Co., 236 Highland Ave. | 176304
Rules Suspended and
Approved |
| 94. | Taxi Stand | Green and Yellow Cab Co., 30 Washington St. | 176305
Rules Suspended and
Approved |
| 95. | Taxi Stand | Green and Yellow Cab Co., 1 Davis Sq. | 176306
Rules Suspended and
Approved |
| 96. | Taxi Stand | Green and Yellow Cab Co., 295 Broadway. | 176307
Rules Suspended and
Approved |
| 97. | Comm. | <u>Communication</u>
Senator Shannon re: trash on two Mass Highway-owned
properties. | 176308
Placed on File |

98.	Comm.	Senator Shannon re: State Police increasing the enforcement of traffic signage and the placement of a speed box radar machine on Alewife Brook Parkway.	176309 Placed on File
99.	Comm.	Somerville Residents Petition re: Assembly Square.	176310 Legislative Matters
100.	Comm.	Lanny Evarts re: Assembly Square.	176311 Legislative Matters
101.	Comm.	Wig Zamore re: Assembly Square.	176312 Legislative Matters
102.	Comm.	Wig Zamore further comments re: Assembly Square.	176313 Legislative Matters
103.	Comm.	Pagan Kennedy re: Assembly Square.	176314 Legislative Matters
104.	Comm.	Marilyn Fontenrose re: Assembly Square.	176315 Legislative Matters
105.	Comm.	Lynn McWhood re: Assembly Square.	176316 Legislative Matters
106.	Comm.	Lawrence Paoella re: Assembly Square.	176317 Legislative Matters
107.	Comm.	C. Arthur Patton-Hock re: Assembly Square.	176318 Legislative Matters
108.	Comm.	Frank Schricker re: Assembly Square.	176319 Legislative Matters
109.	Comm.	Allison Stieber re: Assembly Square.	176320 Legislative Matters
110.	Comm.	Alan Moore re: Assembly Square.	176321 Legislative Matters
111.	Comm.	David Dahlbacka re: Assembly Square.	176322 Legislative Matters
112.	Comm.	Larry Stone re: Assembly Square.	176323 Legislative Matters
113.	Comm.	Ellin Reisner re: Assembly Square.	176324 Legislative Matters

114.	Comm.	Bill Shelton re: Assembly Square.	176325 Legislative Matters
115.	Comm.	Marjie Polster re: Assembly Square.	176326 Legislative Matters
116.	Comm.	Minona Heaviland, Assembly Square.	176327 Legislative Matters
117.	Comm.	Brian Tamm, Assembly Square.	176328 Legislative Matters
118.	Claim	<u>Notice of Claim</u> Bernice LaRoche.	176329 Placed on File
119.	Claim	Progressive Insurance Co./Maureen Robichaux.	176330 Placed on File
120.	Claim	Amy Bauman.	176331 Placed on File
121.	Claim	MetLife Auto & Home/Tarlochan Singh.	176332 Placed on File
122.	Claim	Charles E. Steinman.	176333 Placed on File

ITEMS RECEIVED AFTER 2:00 PM

123.	Taxi Stand	<u>Renewal of Taxi Stand License</u> Green and Yellow Cab, 503 Broadway.	176334 Rules Suspended and Approved
124.	Order	By Ald. Trane, That the Director of Information Technology obtain and post to the City website the various materials reviewed recently by the Legislative Matters Committee, with respect to Assembly Square zoning.	176335 Adopted
125.	Mayor's Request	Requesting approval to expend a \$650 donation from Jennifer White to plant a tree in Prospect Hill Park.	176336 Rules Suspended and Approved
126.	City Officer Comm.	Commissioner of Public Works responding to various Board orders.	176337 Placed on File
127.	Resolution	By Ald. Pero, Honoring Somervillian and Veteran Al Rubio.	176338 Adopted

Submitted by John J. Long, City Clerk