

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

MINUTES OF THE REGULAR MEETING

June 8, 2006, 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 Maryann M. Heuston, Vice President Robert C. Trane, Aldermen Bruce M. Desmond, Denise Provost, Dennis M. Sullivan, William A. White Jr., William M. Roche, Thomas F. Taylor, Walter F. Pero, Sean T. O'Donovan, Rebekah L. Gewirtz.

OPENING OF THE MEETING

- | | | |
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| 1. | Call of the Roll. | 181339
Placed on File |
| 2. | Approval of the minutes of the Regular Meeting of May 11, 2006. | 181340
Approved |

CITATIONS

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|----|----------|--|-------------------------|
| 3. | Citation | By Ald. O'Donovan and the Entire Board, Commending the Visiting Nurse Association on the happy celebration of their 100 th year of caring for the citizens of Somerville. | 181341
Approved |
| 4. | Citation | By Ald. Roche, Heuston and the Entire Board, Commending Jerry Carvalho for his 30 th anniversary of dedicated service to the Auxiliary Police. | 181342
Laid on Table |

PUBLIC HEARINGS

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|----|---------------|--|--------------------|
| 5. | Grant of Loc. | Boston Edison, for a Grant of Location to install 38 ft. of conduit at 30 Cottage Ave. | 181343
Approved |
| 6. | Grant of Loc. | Comcast, for a Grant of Location to install 130 ft. of conduit at 43-45 Cross St. | 181344
Approved |

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

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| 7. | Order | By Ald. Roche, That the Chief of Police and the Director of Traffic and Parking ticket vehicles improperly parked near Kensington Ave. and Broadway. | 181345
Approved |
| 8. | Order | By Ald. Roche, That the Director of SPCD inform the manager of Rent-A-Center on Broadway, of the trash pick-up ordinance as their waste disposal contractor is removing refuse outside the proper hours. | 181346
Approved |
| 9. | Order | By Ald. Roche, That the Commissioner of Public Works coordinate the planting of a tree at the empty tree well at 11 Lincoln St. | 181347
Approved |
| 10. | Order | By Ald. Roche, That the Commissioner of Public Works install the driveway cut at 78R Mt. Vernon St., as a variance was approved by the Zoning Board of Appeals. | 181348
Approved |
| 11. | Order | By Ald. Roche, That the Commissioner of Public Works raise the height of the fence behind the basketball hoop at the Pinckney St. end of the Florence St. playground. | 181349
Approved |
| 12. | Order | By Ald. Roche, That the Chief of Police monitor traffic on Pearl St. at Franklin St., especially from 10 PM to 2 AM, as neighbors have complained of speeding vehicles. | 181350
Approved |
| 13. | Order | By Ald. Sullivan and Heuston, That the Director of Traffic and Parking examine Wyatt and Perry Sts. for pedestrian and traffic safety improvements. | 181351
Approved |
| 14. | Order | By Ald. Sullivan and O'Donovan, That the Director of Traffic and Parking improve the corner of Bartlett and Medford Sts. as motorists have a difficult site line turning onto Medford St. from Bartlett St. | 181352
Approved |
| 15. | Order | By Ald. Sullivan and Pero, That the Commissioner of Public Works trim the tree on Ten Hills Rd. near the stairs leading to Rte 28. | 181353
Approved |
| 16. | Order | By Ald. Sullivan and Roche, That the Chief of Police order a directed patrol to the Florence St. Playground between 4 PM and Midnight for possible gang and drug activity. | 181354
Approved |
| 17. | Order | By Ald. Sullivan and Roche, That the Chief of Police monitor Lincoln St. during the evening rush hour for vehicles traveling at excessive speeds and traveling the wrong way on Lincoln Ave. | 181355
Approved |
| 18. | Resolution | By Ald. Pero, That this Board requests that the Commission on Monuments, Memorials and Dedications restore the plaque for WW I Veteran Henry Stimpson at Stimpson Sq., at Broadway and Fellsway West. | 181356
Approved |

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| 19. | Order | By Ald. Pero, That the City Solicitor prepare an opinion as to the disposal of trash on a private way that is at the corner of a public way. | 181357
Approved |
| 20. | Order | By Ald. Pero, That the Chief of Police assign a new Community Police Officer to Ward 4. | 181358
Approved |
| 21. | Order | By Ald. Pero, That the Director of Traffic and Parking remove the NO PARKING - CHURCH ZONE sign on School St. opposite Maple Ave. | 181359
Approved |
| 22. | Order | By Ald. Pero, That the Director of Traffic and Parking post signage on Shore Dr. restricting right turns onto Bailey Rd. between 7 and 9 AM, except for residents. | 181360
Approved |
| 23. | Order | By Ald. Heuston, That the Director of Traffic and Parking install signage prohibiting parking from the corner of Somerville Ave. and McGrath Hwy. to the intersection of Somerville Ave. and Mansfield St. | 181361
Approved |
| 24. | Order | By Ald. Heuston, That the Commissioner of Public Works meet with the Ward 2 Alderman to determine areas where additional street lighting should be installed to address public safety issues. | 181362
Approved |
| 25. | Order | By Ald. Heuston, That the Director of Traffic and Parking and the Chief of Police increase enforcement of the parking regulations on Prospect and Linwood Sts. | 181363
Approved |
| 26. | Order | By Ald. Heuston, That the Commissioner of Public Works install 2 benches in Concord Sq. | 181364
Approved |
| 27. | Order | By Ald. Heuston, That the Commissioner of Public Works clean the city owned parcel at 4 Milk Place. | 181365
Approved |
| 28. | Order | By Ald. Heuston, That the Commissioner of Public Works clean the municipal parking lot at Prospect St. and Somerville Ave., mulch the landscaped areas, and place it on a regular maintenance schedule. | 181366
Approved |
| 29. | Order | By Ald. Desmond, That the Commissioner of Public Works allow the lights at the Conway Park Little League fields to remain on Friday evenings until all Friday night Little League games have been completed and all players have safely left the area. | 181367
Approved |
| 30. | Order | By Ald. Desmond and Roche, That the Commissioner of Public Works replace the electrical cover on the street light post at 148 Pearl St. (2 nd request) | 181368
Approved |

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| 31. | Order | By Ald. Desmond and Roche, That the Commissioner of Public Works replace the tree and ONE WAY sign that were knocked down in an accident at 40 Dana St. | 181369
Approved |
| 32. | Resolution | By Ald. Desmond and the Entire Board, That this Board supports level funding of \$500,000 for suicide prevention in line item 4513-102 of the Senate's and Governor's version of the State Dept. of Public Health budget. | 181370
Approved |
| 33. | Order | By Ald. Desmond, Taylor and O'Donovan, That the Director of Traffic and Parking install a walk button on the traffic light at Highland Ave. and Central St. (3 rd request) | 181371
Approved |
| 34. | | Not Used | |
| 35. | Order | By Ald. O'Donovan, That the Commissioner of Public Works install a water faucet on the bike path at the bottom of Highland Rd. | 181372
Approved |
| 36. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration organize a meeting regarding parking options at the Buena Vista Lot. (3 rd request) | 181373
Approved |
| 37. | Order | By Ald. Gewirtz, That the Commissioner of Public Works add a water supply to Cutter Park in Davis Sq. to support the recent landscaping of the park. | 181374
Approved |
| 38. | Order | By Ald. Gewirtz, That the Director of SPCD cite the developer of the project at Willow and Morrison Aves. for grossly inappropriate disposal of contaminated water into the city sewer system and notify the MWRA and the DEP of the violations that occurred on June 3 and 4, and follow up with the Ward 6 Alderman. | 181375
Approved |
| 39. | Order | By Ald. Gewirtz, That the Commissioner of Public Works report to the Ward 6 Alderman on the feasibility of adding a small playground area to the back side of Powderhouse Park, and if this has been considered in the past. | 181376
Approved |
| 40. | Comm. | By Pres. Heuston, Canceling the Regular Meetings of this Board previously scheduled for July 27 and Aug. 10, 2006. | 181377
Placed on File |

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEES

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| 41. | Committee Report | Report of the Committee on Finance, May 30. | 181378
Approved |
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41A.	Mayor's Request	Requesting an appropriation of \$24,400 from Unreserved Fund Balance (Free Cash) to the Pensions/Non Contributory Reimbursement/Allowances Acct. to fund an expected FY06 deficit.	181004 Approved
41B.	Mayor's Request	Requesting adoption of the attached resolution to comply with the requirements of the MA School Building Authority.	181285 Approved
41C.	Mayor's Request	Requesting acceptance of a \$2,500 grant from the Youth Council to the Women's Commission to fund the "Teens Against Dating Abuse" program at the high school.	181289 Approved
42.	Committee Report	Report of the Committee on Housing and Community Development, May 30. No papers.	181380 Approved
43.	Committee Report	Report of the Committee on Legislative Matters, May 30.	181381 Approved
43A.	Resolution	By Ald. Heuston, That this Board requests that the Administration place the draft of the proposed Condo Conversion Ordinance on the city's website and make copies of the draft available at City Hall.	181382 Approved
43B.	Order	By Ald. Pero, That the City Solicitor clarify whether the vote regarding the proposed changes to the condo conversion ordinance needs to be 2/3 or a simple majority of this Board's membership.	181383 Approved
44.	Committee Report	Report of the Committee on Licenses and Permits, May 31.	181384 Approved
44A.	Garage Lic.	New Garage License, Frank and Ed's Auto, 483 Somerville Ave., 3 autos, M-F 9-7, Sat 10-5.	180848 Approved for 90 Days
44B.	Garage Lic.	New Garage License, Brasil Auto Repair, 621 Somerville Ave., 3 autos.	180849 Approved for 90 days, 2 vehicles only
44C.	Used Car Lic	New Used Car Dealer License Class II, Frank and Ed's, 483 Somerville Ave., 14 autos.	180880 Approved for 90 days, 8 vehicles inside, 6 outside, no parking on Loring St. or Somerville Ave.
44D.	Flamm. Lic	Renewal of Flammables License, Frank & Ed's Auto, 483 Somerville Ave., 7,420 gallons.	181182 Approved

44E.	Grant of Loc.	Boston Edison for a Grant of Location to install 37 ft. of conduit on 28 Murdock St.	181235 Not Approved
44F.	Grant of Loc.	Comcast for a Grant of Location to install 30 ft. of conduit on 26-28 Murdock St.	181236 Not Approved
44G.	Grant of Loc.	RCN Becocom for a Grant of Location to install 30 ft. of conduit on 26-28 Murdock St.	181237 Not Approved
44H.	Grant of Loc.	Verizon for a Grant of Location to install 30 ft. of conduit on 26-28 Murdock St.	181238 Not Approved
44I.	Flamm. Lic.	Renewal of Flammables License, Concord Auto Service, 73 Summer St., 20,000 gallons.	181306 Approved
44J.	Flamm. Lic.	Renewal of Flammables License, Green Automotive Inc., 85 Foley St., 27,000 gallons.	181307 Approved
44K.	Garage Lic.	Renewal of Garage License, Mike's Automotive Services, 298 Somerville Ave., 20 autos.	181309 Approved
44L.	Used Car Lic	New Used Car Dealer License Class II, Damazio Auto Sales, 624-630 Somerville Ave., 8 autos outside.	181310 Not Approved
44M.	Outdoor Seat	New Outdoor Seating License, LaContessa, 420 Highland Ave., 2 tables, 4 chairs.	181311 Approved
44N.	Outdoor Park	Renewal of Outdoor Parking License, Green Cab. Co., 85 Foley St., 80 vehicles.	181312 Approved
45.	Committee Report	Report of the Committee on Land Use, June 1.	181387 Approved
45A.	Mayor's Request	Requesting approval of an amendment to Article 7 of the Zoning Ordinance re: Table of Permitted Uses.	180450 Approved, Enrolled and Ordained
46.	Committee Report	Report of the Committee on Rodent Control, June 5. No papers.	181385 Approved
47.	Committee Report	Report of the Committee on Confirmation of Appointments, June 5.	181386 Approved
47A.	Mayor's Request	Requesting the appointment of Robert Sweeney as Constable.	180618 Approved
47B.	Mayor's Request	Requesting approval of the appointment of Sean Tierney and Michael Anzalone as Lieutenants in the Fire Dept.	181290 Approved

47C.	Mayor's Request	Requesting approval of the appointment of Stephen Glines Jr. to the Historic Preservation Commission.	181291 Approved
47D.	Mayor's Request	Requesting approval of the appointment of James Moran as Constable.	181292 Approved
48.	Committee Report	Report of the Committee on Traffic and Parking, June 5.	181388 Approved
48A.	Ordinance	Taxi Fare Increase, Green and Yellow Cab Association, requesting an increase of 5¢ for each addl. 1/8 mile, for a total of \$1.50 for 1 st 1/8 mile, and 40¢ per addl. 1/8 mile.	180939 Approved, Enrolled and Ordained

COMMUNICATIONS OF THE MAYOR

49.	Mayor's Request	Requesting an appropriation of \$300,000 from Unreserved Fund Balance (Free Cash) to establish a Capital Projects Stabilization Fund under the provisions of MGL c40 s5B.	181389 Finance
50.	Mayor's Request	Requesting a transfer of \$125,000 from the Water Enterprise Fund Benefits Acct. to the Water Enterprise Water Meters & Parts Acct.	181390 Finance
51.	Mayor's Request	Requesting a transfer of \$15,000 from the Water Enterprise Fund Benefits Acct. to the Water Enterprise Water Service Replacement Acct.	181391 Finance
52.	Mayor's Request	Requesting a transfer of \$14,915 from the Sewer Enterprise Fund Benefits Acct. to the Sewer Enterprise Cleaning Repairs Acct.	181392 Finance
53.	Mayor's Request	Requesting a transfer of \$21,700 from Bldgs. Insurance and Rentals-Bldgs. to Highway-Equipment to purchase 30 barrels to complete the first phase of the benches and barrels program.	181393 Finance
54.	Mayor's Request	Requesting a transfer of \$1,706 from the Veterans Benefits PS Salary Acct. to the Veterans Services Benefit Acct.	181394 Approved
55.	Mayor's Request	Requesting a transfer of \$1,500 from the Unemployment Compensation Acct. to the Veterans Services Benefit Acct.	181395 Approved
56.	Mayor's Request	Requesting a transfer of \$29,637 from the Council on Aging Salaries Acct. to the Libraries Salary Acct. to fund sick leave buyback and accrued vacation leave.	181396 Finance
57.	Mayor's Request	Requesting a transfer of \$16,361 from the Fire PS Salaries Acct. to the Fire Alarm PS Salaries Acct. to cover benefits paid out during FY06.	181397 Finance

58.	Mayor's Request	Requesting a transfer of \$12,000 from the Fire PS Salaries Acct. to the Fire OM Repairs-Tools & Equipment Acct. to cover emergency repairs.	181398 Finance
59.	Mayor's Request	Requesting a transfer of \$15,472 from the Fire PS Salaries Acct. to the Fire OM Supplies for Men/Women Acct. to cover the cost of additional exercise equipment.	181399 Finance
60.	Mayor's Request	Requesting approval to accept a \$7,500 donation from NStar to help provide fireworks for our Independence Day celebration.	181400 Finance
61.	Mayor's Request	Requesting approval to accept a \$5,000 grant to the Arts Council by the New England Grassroots Environment Fund to assist in the Mystic River Mural Project.	181401 Finance
62.	Mayor's Request	Requesting approval to expend a \$4,645.10 grant to the Fire Dept. by the MA Office of Public Safety to cover costs associated with full-scale field exercise training.	181402 Approved
63.	Mayor's Request	Requesting authorization to extend a contract with Camp Dresser & McKee until Dec. 31, 2006, to reduce infiltration and inflow in the wastewater collection system.	181403 Finance
64.	Mayor's Request	Requesting authorization to extend a contract with Vollmer Associates LLP until Aug. 2008, for the design of the Community Path from Cedar to Central Sts.	181404 Finance
65.	Mayor's Request	Requesting approval of appropriations totaling \$13,674,502 for the FY07 Sewer Enterprise Fund Budget.	181405 Finance
66.	Mayor's Request	Requesting approval of appropriations totaling \$11,756,536 for the FY07 Water Enterprise Fund Budget.	181406 Finance

COMMUNICATIONS OF CITY OFFICERS

67.	City Officer Comm.	Planning Board re: withdrawal of a proposed amendment to Zoning Ordinance Articles 6, 7 and 16, which would have created a PUD-B1 zoning overlay district.	181407 Placed on File
68.	City Officer Comm.	Planning Board re: proposed rezoning of 100-114 Temple St. and 8-16 Butler Dr.	181408 Placed on File
69.	City Officer Comm.	SPCD Director responding to various Board Orders.	181409 Placed on File
70.	City Officer Comm.	Director of Health conveying recently amended regulations affecting access to tobacco products by minors.	181410 Placed on File

NEW BUSINESS

71.	Public Occ	Public Property Occupancy Permit, 4-year-old Birthday Party with pony rides at the Bike Path near 23 Highland Rd., June 4 2:30-3:30PM.	181411 Approved
72.	Public Occ	Public Property Occupancy Permit, Meacham Road Block Party, Buena Vista Rd. to Kingston St., June 11 3-7PM (raindate June 18).	181412 Approved
73.	Public Occ	Home Depot Pro Contractor Event, 75 Mystic Ave., June 22 8AM-2PM.	181413 Approved
74.	Public Occ	Public Property Occupancy Permit, East Broadway on the Move neighborhood clean up; DJ music, food and refreshments, activities for children, June 24 10AM-3PM.	181414 Approved
75.	Public Occ	Public Property Occupancy Permit, Summertime in Somerville July 4 celebration, Trum Field, Fireworks June 29 6-10PM and Family Fun Day July 1 Noon-5PM.	181415 Approved
76.	Public Occ	Public Property Occupancy Permit, The Riley Family outdoor party with live acoustic music and performances, 61 Cameron Ave. and ½ Glendale Ave., July 22 1-7PM.	181416 Licenses & Permits
77.	Public Occ	Public Property Occupancy Permit, Christian Fellowship of Boston Music Fest, Conway Park, Sept. 23 4-8PM.	181417 Licenses & Permits
78.	Drain Layer	New Drain Laying License, J & J Contractors Inc.	181418 Approved
79.	Outdoor Seat	Renewal of Outdoor Seating License, Sound Bites BBQ & Grille, 711 Broadway, 4 tables, 12 chairs.	181419 Approved
80.	Flamm. Lic.	Renewal of Flammables License, Mass. Bay Commuter Rail, 79 Rear Third Ave., 43,000 gallons.	181420 Licenses & Permits
81.	Flamm. Lic.	Renewal of Flammables License, Somerville Citgo Inc., 620 Broadway, 36,000 gallons.	181421 Licenses & Permits
82.	Hawker Peddler	New Hawker Peddler License, Cecropia Inc., demonstrating a video game using laptop computers, citywide, until Sept. 1.	181422 Licenses & Permits
83.	Taxi Med.	Renewal of Taxicab Medallion, Elysse Corp., Med. #48.	181423 Approved
84.	Comm.	MA Highway Commissioner responding to #180770 re: a public hearing on the KSS Lowell St. development.	181424 Placed on File

LATE ITEMS

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| 85. | Mayor's Request | Requesting acceptance of a \$39,308.64 grant from the Boston Office of Homeland Security to the Fire Dept. to cover backfill and overtime costs for ICS-200 Training. | 181287
Discharged from Finance, Approved |
| 86. | Comm. from City Officer | Planning Board submitting an amendment to the Zoning Ordinance, amending Articles 6, 7 and 16 to create a new PUD-B1 Overlay District. | 180825
Discharged from Land Use, Placed on File |
| 87. | Mayor's Comm. | Proclaiming June 18 through June 24, 2006 to be Visiting Nurse Association of Eastern Massachusetts Week. | 181425
Placed on File |
| 88. | Mayor's Request | Requesting a transfer of \$10,000 from the fire PS Salaries Acct. to the Fire PS Overtime Acct. to cover shifts due to a retirement. | 181426
Finance |
| 89. | Mayor's Request | Requesting the appointment of the following as Lieutenants in the Police Dept.: Anthony Nargi, Gerard Rymill, Carmine Vivolo, Michael Gaughan, and Dennis Silva, and the following as Captains in the Police Dept. Michael Cabral, Paul Trant and Paul Upton. | 181427
Conf. of Appointment |
| 90. | Comm. | Ismael Tejada communicating his support of the proposed zoning change at St. Polycarp's Church and associated properties. | 181428
Placed on File |
| 91. | Order | By Ald Trane, That the Chief of Police enforce the 10PM park closing at the North Street playground. | 181429
Approved |
| 92. | Order | By Ald Trane, That the Director of Traffic and Parking provide a written explanation to this Board regarding how the extend street sweeping will be dealt with during the month of December, with holidays and possible snow fall. | 181430
Approved |

Submitted by John J. Long, City Clerk