

January 8, 2008

Medford City Council
The First Regular Meeting
Medford, Massachusetts
January 8, 2008

Qualifying of Oath

Alfred Pompeo, School Committee
Paul Camuso, Council
Michael Marks, Council
Robert Penta, Council
Stephanie M. Burke, Council
Breanna Lungo-Koehn, Council

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

City Clerk Edward P. Finn the First Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The records of the meeting of December 18, 2007 were passed to Councillor Lungo-Koehn

Those present and seated inside the hall were Dorothy Donehey, Asst. City Clerk and Lawrence Lepore, City Messenger

Televised by Channel 16-Government Access

08-001- Election of a Council President for 2008

Councillor Lungo-Koehn nominated Stephanie Muccini Burke, seconded by Councillor Penta. Councillor Maiocco motioned that nominations be closed
Roll Call Vote 7 in the affirmative for Stephanie Muccini Burke and 0 for no one else

City Clerk/Justice of the Peace Edward P. Finn administered the Oath of Office to Elected President Stephanie Muccini Burke

President Burke at this time assumed the chair

08-002-Election of a Council Vice President for 2008

Councillor Penta nominated Breanna Lungo-Koehn, seconded by Councillor Camuso, Councillor Camuso motioned that nominations be closed.

Roll Call Vote 7 in the affirmative for Breanna Lungo-Koehn and 0 for no one else.

City Clerk/Justice of the Peace Edward P. Finn administered the Oath of Office to Elected Vice President Breanna Lungo-Koehn.

At this time Assistant City Clerk Dorothy Donehey was excused from the meeting as the City Clerk. Edward Finn assumed his position.

08-003-Election of City Messenger for 2008 and 2009
Administration of Oath to City Messenger

Councillor Camuso nominated Lawrence Lepore, seconded by Councillor Dello Russo, Councillor Dello Russo that nominations be closed

City Clerk/Justice of the Peace Edward P. Finn administered the Oath of Office to Elected City Messenger Lawrence Lepore

08-004- Offered by Councillor Lungo-Koehn

Be it resolved that the Standing Committee Rules be adopted as the Standing Rules of the City Council insofar as they are applicable.

Upon motion by Vice President Lungo-Koehn-passed

08-005- Offered by Councillor Lungo-Koehn

Be it resolved that the City Council transfers all papers in committees or on the Table from the 2007 Council to the 2008 Council.

Upon motion by Vice President Lungo-Koehn-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-007-Petition by Joseph Tran, 266 Common St., Quincy for reversal of sign denials on

OCD applications 2007-54D (Secondary sign does not meet requirements), 2007-54C

(Secondary sign not allowed) and 2007-54G (Does not meet requirements for Secondary sign) all for the property located at 214 A Middlesex Ave., Medford (Joseph's Dry Cleaners)

Upon motion by Councillor Penta-Granted

08-008-Petition by Jeremy Waycott, Arnco Sign Company, 1133 So. Broad St., Wallingford Ct. for a reversal of sign denial on OCD Application 2007-56C (Exceeds the number of signs allowed) for the location at 567 Fellsway

Amended by Councillor Marks that the Free Standing Sign must be off the public sidewalk so pedestrians can traverse

Vice President Lungo-Koehn abstained for voting due personal reasons

Upon motion by Councillor Penta as amended-Granted

08-009-Petition by Brian Barrett, 17 Playstead Rd., Medford for a reversal of sign denial on

OCD applications 2007-55A (Roof Sign not allowed), 2007-55B (Does not meet requirements for secondary sign)

Upon motion by Councillor Penta-Granted

08-010-Petition by Patricia Weld, 47 Hancock Ave., to address Council on parking problems

and streets not being plowed like they use to be.

Councillor Dello Russo motioned to table the matter-Tabled

08-011-Petition by Suzanne O'Neill, 44 Wareham St., to address the Council looking for a

public apology.

Ms. O'Neil submitted a video tape and written statement which she read to the Council and public

Upon motion by Councillor Camuso that petition be received and placed on file-passed

MOTIONS, ORDERS AND RESOLUTIONS

08-013-Offered by Councillor Lungo-Koehn

Be it resolved that a larger plow be assigned to Willis Ave for up coming snow storms.

Amended by Councillor Marks that the DPW Commissioner report back to the Council the number of plows used by the City, the size of each plow/vehicle and location usually assigned

Upon motion by Vice President Lungo-Koehn that the paper be referred to the Mayor and the Sub Committee on Public Works-passed

08-014-Offered by Councillor Lungo-Koehn

Be it resolved that during our next snow storm, Medford residents get a reverse 911 call, reminding everyone to shovel their sidewalk.

Amended by Councillor Camuso that the DPW Commissioner put the message on TV-3, TV-15 and 16.

Upon motion buy Vice President Lungo-Koehn on a roll call vote of 6 in the affirmative and 1 in the negative (Camuso)-passed

Councillor Camuso motioned to severe the following amendments-passed

Amended by Councillor Penta that the President call a Committee of the Whole Meeting at the DPW Yard with the DPW Commissioner along with a list of needs to review the entire yard from equipment, plows, facility and safety.

Councillor Penta motioned for a roll call vote of 7 in the affirmative and 0 in the negative-Amendment Passed

Amended by Councillor Penta that the President call an onsite meeting with the 911 Officer and the Chief of Police to determine the proper method in distributing resident calls.

Councillor Penta motioned for a roll call vote of 7 in the affirmative and 0 in the negative-Amendment Passed

Councillor Dello Russo motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-015-Offered by Councillor Dello Russo

Be It Resolved that the City Council offer its sincere condolences to the family of Remy Sharrillo on the occasion of his recent passing. Mr. Sharillio was a life long citizen of Medford and life member of the Medford Lodge of the Benevolent and Protective Order of the Elks

Upon motion by Councillor Dello Russo-passed

08-016-Offered by Councillor Dello Russo

Be It Resolved that the City Auditor report to the Council the status of the City's Finances in light of recent severe weather, weekend snow storms and cold temperatures.

Amended by Councillor Camuso that the Mayor look into collaborating with surrounding communities on group purchases for sand and salt, equipment, vehicle and health insurances.

Upon motion by Councillor Dello Russo as amended-passed

08-017-Offered by Councillor Marks
Be It Resolved that the Cable Rates be discussed

A mended by Councillor Marks that the Mayor pursues other cable providers such as Verizon or RCN to provide competitive rates for the Medford Cable subscribers.

Amended by Councillor Maiocco that the Council arraigns for Verizon to come before the City Council at an upcoming Council Meeting to inform what Verizon has to offer the public as far a cable programming.
Amended by Councillor Maiocco that the City Solicitor provides the Council with a report on the on-goings with TV-3 and the Directors election process and its cancellation. In addition to what action the Mayor will take and future of TV-3

Amended by Councillor Penta that the Mayor in his capacity in negotiating the contracts directs TV-3 Board to hold the election and membership drive.

Upon motion by Councillor Marks as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-018-Offered by Councillor Camuso
Be It Resolved that the Medford City Council congratulates Medford DPW Parks Department employee Mike Nestor on the birth of his son Logan. Logan was born 9 lbs. and 15 oz.

Upon motion by Councillor Camuso-passed

08-019-Offered by Councillor Maiocco
Be It Resolved that once again Representative Sciortino be requested to update the Council on the recent bill before the Legislature on fining of utility companies and its double pole removals.

Upon motion by Councillor Maiocco-passed

Councillor Maiocco motioned to revert back to regular order of business-passed

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review December 4, 2007

Records: The Records of the Meeting of December 18, 2007 were passed to Vice President Lungo-Koehn. Vice President Lungo-Koehn reviewed the records and then moved that the records be approved -passed

Adjournment:

Councillor Dello Russo motioned that meeting be adjourned at 8:09 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

January 15, 2008

Medford City Council
The Second Regular Meeting
Medford, Massachusetts
January 15, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn

Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Second Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 Absent (Camuso)

SALUTE TO THE FLAG

RECORDS

The records of the meeting of January 8, 2008 were passed to Councillor Maiocco

Those present and seated inside the hall were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger

Televised by Channel 16-Government Access

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-006-Petition by Franco Max Jeanpierre, 37 Prescott St., Medford for a Taxicab-Operator License.

CORI-On file w/Police Chief

Upon motion by Councillor Marks-Granted

08-017A-Petition by Joseph Tran, 266 Common St., Quincy d/b/a Joseph's Dry Cleaning, 214A Middlesex Ave., Medford for a Cleaning and Dyeing License

On File
Petition
Building Dept.
Fire Dept.
Police Dept.
Health Dept.
Treasurer
State Tax
Corporate Certificate
Business Certificate
Letter of Compliance

Upon motion by Councillor Marks-Granted

MOTIONS, ORDERS AND RESOLUTIONS

08-012-Offered by Councillor Camuso

Be it Resolved that the City of Medford uses the Tax Bills to send important messages regarding the city.

Upon motion by Vice President Lungo-Koehn to table-Tabled

08-020-Offered by Councillor Maiocco

Be It Resolved that the Mayor have the appropriate department report on the working condition on the Fire Alarm at Medford High School and what Fire Personnel is stationed there and the impact on daily manning levels on the Fire Department.

Amended by Councillor Maiocco that the Fire Chief and Medford Public Schools Buildings and Grounds Director appear before the City Council to explain to the working conditions of the alarms

Amended by Councillor Penta that the Mayor report back on the cost of overtime and trip cost by the Fire Department each time the Fire Department has to address the situation as well as the cost to replace the alarms to be in proper working conditions

Upon motion by Councillor Maiocco as amended on a roll call vote of 6 in the affirmative and 1 absent-passed

08-021-Offered by Vice President Lungo-Koehn

**CITY OF MEDFORD
CALL FOR
PRESIDENTIAL PREFERENTIAL PRIMARY
AND
SPECIAL STATE ELECTION FOR THE REPRESENTATIVE
IN GENERAL COURT FOR THE TWENTY-THIRD
MIDDLESEX DISTRICT
Tuesday, February 5, 2008**

BE IT ORDERED: that the City Clerk be and he is hereby authorized and directed to notify and warn such of the inhabitants of the City of Medford, as were qualified by law to vote for candidates at the Presidential Preferential Primary on Tuesday, February 5, 2008, to assemble at the polling places in their respective wards and precincts, then and there to give in their votes for:

PRESIDENTIAL PREFERENCE

DISTRICT MEMBERS OF STATE COMMITTEE (one man and one woman)
For each Political Party for the Second Middlesex Senatorial District.

- ***Members of the Democratic Ward Committee
- ***Members of the Republican Ward Committee
- ***Members of the Green Rainbow Ward Committee
- ***Members of the Working Families Ward Committee

BE IT FURTHER ORDERED: that the City Clerk be and hereby is authorized and directed to notify and warn such of the inhabitants of the City of Medford, as were qualified by law to vote for candidates at the Special State Election for the Representative in General Court for the Twenty-Third Middlesex District (Ward 3, Precinct 2, Ward 6, Precinct 1, and Ward 6, Precinct 2) on Tuesday, February 5, 2008, to assemble at the polling places in their respective wards and precincts, then and there to give in their votes for:

REPRESENTATIVE IN GENERAL COURT FOR THE TWENTY-THIRD MIDDLESEX DISTRICT

BE IT FURTHER ORDERED: that the following named polling places be and they are hereby designated for use at the Presidential Preferential Primary as well as for the Special State Election for the Representative in General Court for the Twenty-Third Middlesex District shall open at 7:00 A.M. and remain open until 8:00 P.M. on February 5, 2008.

08-021-(Cont)

		<u>Voting Precincts</u>
Ward 1	Precinct 1	Andrew Middle School, 3000 Mystic Vly. Pkwy.
Ward 1	Precinct 2	Fire Fighter's Club, 340 Salem Street
Ward 2	Precinct 1	St. Francis Parish Center, Fellsway and Fulton St.
Ward 2	Precinct 2	Roberts Elementary School, 35 Court St. (Park Street
Ward 3	Precinct 1	Lawrence Memorial Hospital, 170 Governors Ave.
Ward 3	Precinct 2	Temple Shalom, 475 Winthrop Street
Ward 4	Precinct 1	Tufts University, Gantcher Center Rear, 161 College Ave.
Ward 4	Precinct 2	Tufts University, Gantcher Center Rear, 161 College Ave.
Ward 5	Precinct 1	Columbus Elementary School, 37 Hicks Ave.
Ward 5	Precinct 2	Columbus Elementary School, 37 Hicks Ave.

Ward 6	Precinct 1	Brooks Elementary School, 388 High St.
Ward 6	Precinct 2	Walkling Court, Auburn Street & North Street
Entrances		
Ward 7	Precinct 1	Mystic Valley Towers, North Building Entrance
Ward 7	Precinct 2	McGlynn K-8 Public School, 3004 Mystic Vly. Pkwy.
Ward 8	Precinct 1	Senior Center, 101 Riverside Ave.
Ward 8	Precinct 2	Veterans of Foreign Wars Hall – 114 Mystic Ave.

Upon motion by Councillor Maiocco-passed

08-022-Offered by Councillor Marks

Be it resolved that Paul Gere DPW Commissioner report back to the City Council on the following:

- 1) When was the salt shed in the DPW yard built
- 2) Who built the shed and did the city get quotes from out side private companies if so please provide
- 3) What was the total cost to build the shed and was it included in the DPW budget
- 4) Are there structural concerns with the walls

Upon motion by Councillor Marks-passed

08-023-Offered by Councillor Marks

Be it resolved that the Medford City Council recognize Tufts University for establishing the Tufts Neighborhood Service Fund. This fund collects donations from Tufts employees throughout the year and distributes the funds to community-based charitable organizations. This year eight charitable organizations based in Medford split a total of \$5850 dollars to address the most pressing needs of each group.

Amended by Councillor Marks that letter be sent to the Tufts employees for their contribution

Upon motion by Councillor Marks as amended-passed

08-024-Offered by President Burke

Be it resolved, that a zoning ordinance regarding so called "In-Law Apartments" be investigated in order to offer an affordable housing solution to seniors and/or young adults.

Upon motion by Councillor Maiocco that the paper be sent to the Mayor and the Sub Committee on Zoning-passed

08-025-Offered by President Burke

Be it resolved, that the Mayor and DPW once again be requested to create an outside skating rink at possibly the Hormel, Memorial Park and/or Carr Park sites, as they offer lights, in the interest of providing a safe alternative to the youth for outdoor public skating.

Upon motion by Vice President Lungo-Koehn-passed

08-026-Offered by Councillor Dello Russo

Be It Resolved that the Green Line be discussed

Addressing the Council, Dr William Wood and Ken Krause

Upon motion by Councillor Dello Russo that the paper be received and placed on file-passed

08-027-Offered by Councillor Dello Russo

Be It Resolved that the Medford City Council expresses its condolences to the family of Robert "Bob" Carbone on his recent passing. Bob is survived by his wife Beverly, son Robert, daughter Michelle and grandson Nikos. Bob was a longtime Medford Resident

Upon motion by Councillor Dello Russo-passed

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-029-Offered by President Burke

Be it resolved, that the DCR and/or Mass Highway be instructed to shovel sidewalks abutting state owned property in the interest of public safety. One such location is at the entrance to Cross Fells Trail on Winthrop Street (across from Cemetery).

Upon motion by Councillor Dello Russo-passed

08-030-Offered by Councillor Maiocco

Be It Resolved that Medford Tree Warden Arthur "Jesse" Jesselonis be congratulated on being named Mass Tree Warden of the Year. Jesse has been the Tree Warden in Medford for 15 years and does an outstanding job.

Upon motion by Councillor Maiocco-passed

08-031-Offered by President Burke

Be It Resolved that the Finance Director advise this body on status of adjustment made to budget for "Trash Removal Expense" as part of setting of tax rate as not reflected in YTD expenditures report dated 1/9/08...Further, that report be furnished on how this contract will be funded

Upon motion by Vice President Lungo-Koehn-passed

Councillor Penta motioned for suspension of the rules to take Sub Committee on Signs meeting report out of order-passed

08-032

**Sub Committee on Business, Economic Development and Signs
Meeting Report
January 15, 2008**

Attendees: Robert Penta, Chair, Robert Maiocco, Committee, Breanna Lungo-Koehn, Committee, Councillor Frederick Dello Russo, Jorge Silva, Li Ma Schotz and John Bavuso

The purpose of the meeting was to review reversal of sign petitions 06-702, 07-593 and 07-629.

1.)

06-702-Petition by Carlos Mues, 485 Cambridge St. Allston for a reversal of sign denial for Brazil Brazil at 376A Main Street

**OCD Sign Denial 1020B-Secondary Sign Proposed Awning
OCD Sign Denial 1020-Electronic Messaging Sign**

Upon motion by Councillor Maiocco to receive and place on file

2.)

07-593-Petition by Jorge Silva, Oasis Restaurant 384 Main Street for a reversal of sign denial on OCD Application 2007-38E (2 Primary Signs not allowed)

08-032(Cont)

OCD Sign Application 2007-38E

Recommendation-To Grant the reversal of sign denial

OCD Sign Application-2007-38C

Recommendation-To deny the request and to remove all lettering and graphics

OCD Application 2007-38F

Recommendation-To Grant the reversal of sign denial with the provision that their be a 3 month review with the City Council

OCD Application 2007-38D

Recommendation-To Grant the reversal of sign denial for the awning

07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be January 29, 2008

Records: The Records of the Meeting of January 8, 2008 were passed to Councillor Maiocco. Councillor Maiocco reviewed the records and then moved that the records be approved -passed

Adjournment:
Councillor Dello Russo motioned that meeting be adjourned at 8:20 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

January 22, 2008

Medford City Council
The Third Regular Meeting
Medford, Massachusetts
January 22, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Third Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL
7 Members Present

SALUTE TO THE FLAG

RECORDS

The records of the meeting of January 15, 2008 were passed to Councillor Marks

Those present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger

Televised by Channel 16-Government Access

Councillor Marks motioned for suspension of the rules to take paper concerning Medford Public School Nurses and their pay structure

08-037-Offered by Councillor Marks

Be It Resolved that the Nurses Union of the Medford Public Schools be allowed to address the Council on their negotiations on seeking parity with teachers on their pay scale.

Addressing the Council-Karen Roberto 21 2nd St., and several nurses

Amended by Vice President Lungo-Koehn that the Administrations review the role of the School Nurses and what they contribute to the School System in comparison with the teachers and come up a comparable salary structure

Upon motion by Vice President Lungo-Koehn on a role call vote of 7 in the affirmative and 0 in the negative-passed

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-035-Petition by Game Stop 3823, 49 Station Landing for a Second Hand Article License

On File

Petition

Business Certificate #179

Building Dept.

Fire Dept.

Police Dept.

Health Dept.

Treasurer

State Tax Form

Letter of Compliance

Workers Compensation

Upon motion by Councillor Marks-Granted

08-033-Petition by Dennis Shea of National Jewelers Supplies LLC d/b/a National Gold and Jewelry Buyers, 101 Mystic Avenue, Medford for a Second Hand Article License

On File
Petition
Business Certificate #340
Building Dept.
Fire Dept.
Police Dept.
Health Dept.
Treasurer
State Tax Form
Letter of Compliance
Workers Compensation

Upon motion by Councillor Marks-Granted

08-034-Petition by Robert Spry, 188 Central Ave., Medford to address the City Council on returning to quarterly water bill. Bi-monthly has caused penalties and are additional pain and efforts!

Addressing the Council
Robert Spry, 188 Central Ave
John Storella, 22 Metcalf St.
Art Rogers, 3rd Street

Amended by Vice President Lungo-Koehn that the Water and Sewer Commission be requested to change the billing cycle back to quarterly billing.

Amended by Councillor Maiocco that the President reconvene a previous meeting on the Water and Sewer issues, with the City Engineer, City Auditor, Independent Auditor and Water and Sewer Commission

Amended by Councillor Penta that the City Auditor provide the Council with a copy of the Audit conducted by Melanson and Heath.

Upon motion by Vice President Lungo-Koehn as amended-passed

08-036-Petition by Eric Swartz, d/b/a Mixtures, 70 Presidents Landing, Medford for a Common Victuallers License

On File
Petition
Business Certificate #345

Building Dept.
Fire Dept.
Police Dept.
Health Dept.
Treasurer
State Tax Form
Letter of Compliance
Workers Compensation

Upon motion by Councillor Marks-Granted

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-038-Offered by Councillor Maiocco

Be It Resolved that the proliferation of signs (MedfordSingles.com) and Medford Furniture be discussed.

Amended by Councillor Maiocco that the Building Commissioner and Code Enforcement Officer be thanked for their efforts in trying stop this activity

Amended by Councillor Marks that the City Solicitor work with the Building Commissioner in seeking out legal activity with the Attorney General

Amended by Councillor Dello Russo that the Building Commissioner in conjunction with the City Solicitor looks at going after the advertising company that is putting out these signs

Upon motion by Councillor Dello Russo as amended-passed

08-039-Offered by President Burke

Whereas, the City's Office of Community Development does not have the staffing required to perform a thorough analysis on behalf of its citizens regarding the Green Line Extension Project.

Be It Resolved that the Mayor create an additional Planning position devoted to State Transportation and that he seek state support for this position.

Upon motion by Councillor Maiocco on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-040-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its condolences to the family of Michael S. Dattero on his recent passing. Michael was the son of Stephen and Christine Dattero, brother to Robert.

Upon motion by Councillor Camuso-passed

Councillor Camuso motioned to take paper 08-012 out of unfinished business-passed

08-012 City of Medford uses the Tax Bills to send important messages

IN COUNCIL JANUARY 15, 2009 TABLED

Upon motion by Councillor Camuso-passed

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

07-685- Public Hearing NEXTG Networks-Fiber Optics Bow St.

IN COUNCIL DECEMBER 18, 2008 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

08-012 City of Medford uses the Tax Bills to send important messages

IN COUNCIL JANUARY 15, 2009 TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006

07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be January 29, 2008

Records: The Records of the Meeting of January 15, 2008 were passed to Councillor Marks. Councillor Marks reviewed the records and then moved that the records be approved -passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:44 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

January 29, 2008

Medford City Council
The Fourth Regular Meeting
Medford, Massachusetts
January 29, 2008

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Fourth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The records of the meeting of January 22, 2008 were passed to Councillor Penta

Those present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger

Televised by Channel 16-Government Access

08-043- Pranzi's (3) Three month Review pertaining to Special Permit Petition 07-484-Extended Hours of Operation 11:00 P.M. to 2:00 A.M._

On File Reviews

Police

Building

Health

Fire

1 Abutter

Addressing the Council, Stephen Bates, Century St., Business Owner

Upon motion by Councillor Marks that the 3 month review be accepted-passed

HEARINGS

08-028

City of Medford
NOTICE OF PUBLIC HEARING

WHEREAS, Upon the advice of the Law Department, the unanimous recommendation of the Community Development Board and with the approval of the Mayor, it appears advisable to the City of Medford to make certain changes in the location lines of River's Edge Drive formerly known as Corporation Way; and

WHEREAS, the common convenience and necessity of the inhabitants require that River's

08-028(Cont)

Edge Drive should be widened and accepted as a public way of the City of Medford as shown on a set of five (5) plans entitled "Plan of Land Taken for the Widening and Acceptance of River's Edge Drive, Medford, Massachusetts, Middlesex County, Scale 1 inch=50 feet, Date: November 15, 2007", said set of plans being on file at the Office of the City Clerk, Room 103, Medford City Hall, 85 George P. Hassett Drive, Medford, MA 02155, and that for this purpose it is necessary to take certain parcels of land as hereinafter described;

<u>Parcel Numbers</u>	<u>Owner</u>	<u>Area</u>
Parcel No. 1	Mystic Valley Development Commission	4,166
Parcel No. 2	Mystic Valley Development Commission	3,574
Parcel No. 3	Mystic Valley Development Commission	5,259
Parcel No. 4	Mystic Valley Development Commission	42,249
Parcel No. 5	Mystic Valley Development Commission	63,955
Parcel No. 6	Mystic Valley Development Commission	13,270
Parcel No. 7	Mystic Valley Development Commission	7,475

NOW THEREFORE, due notice in the manner provided by law is hereby given to the following abutters and other interested persons, entities and corporations that it is the intention of the City of Medford under the provisions of the law to accept and to lay out Rivers Edge Drive, formerly known as Corporation Way:

An notice is hereby given to all other interested persons, entities and corporations that it is the intention of the City of Medford under the provisions of the law authorizing the assessments of betterments to accept and to lay out the streets before mentioned by taking a portion of the land and laying out the same as a public street and to estimate damages occasioned thereby and that on Tuesday, January 29, 2008 at 7:00 o'clock p.m. at the Howard F. Alden Memorial Chamber, City Hall, 2nd Floor, 85 George P. Hassett Drive, Medford, MA 02155, is appointed as the time and place for the Hearing by the City Council at which time any objections may be stated.

The Order of Taking is on file at the Office of the City Clerk, Room 103, Medford City Hall, 85 George P. Hassett Drive, Medford, MA 02155.

S/ Edward Finn, City Clerk

Advertised in Medford Daily Mercury and Malden Evening News January 21, 2008

Addressing the Council-Mark Rumley, City Solicitor, Cassandra Koutalaidis, City Engineer

In Favor- Mark Rumley, City Solicitor, Cassandra Koutalaidis, City Engineer

On Opposition-None

This portion of the hearing closed

Upon motion by Councillor Camuso on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-048-Offered by Councillor Maiocco

Be It Resolved that the Mayor report back if there was a transaction between John Preotle of River's Edge and Criterion Development, if so what is the details of the transaction, how much money was involved, will the City be entitled to any linkage money and what would the tax rate be to the City?.

Upon motion by Councillor Maiocco-passed

08-030A

**LOCATION OF POLES, ATTACHMENT OF FIXTURES AND UNDERGROUND
CONDUITS**

MEDFORD, MASSACHUSETTS

CITY CLERK'S OFFICE

You are hereby notified that by order of the Medford City Council, a Public Hearing will be given at the **Howard F. Alden Memorial Auditorium, 85 George P. Hassett Drive, City Hall, Medford, Massachusetts** at **7:00 P.M.**, on **TUESDAY, January 29, 2008** on a petition by Comcast for permission to construct a line of underground transmission

conduits, including the necessary sustaining and protecting fixtures, under and across the public or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it may be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity. Said underground conduits to be located substantially in accordance with the plan filed herewith marked provided by E.B. Rotundi & Sons, INC dated 11/05/07

The following are the streets and highways referred to:

In the street and sidewalk area, place one (1) three inch (3") diameter PVC conduit from pole #2234 approximately eleven feet (11') to the midline of St. Mary' Street. This work is required to continue service to the Immaculate Conception Church (Midline of street used being street is jointly owned by Medford and Malden)

Approved – Chief Engineer w/provision that the applicant restores the trench to the stricter of Massachusetts Department of Telecommunications and Energy Standards or the City of Medford's street and construction standards. A street opening permit must be obtained from the City prior to commencement of work

Approved - Supt. of Wires

Call 781-393-2501 for any accommodations/aids. T.D.D. #781-393-2516

s/ Edward P. Finn
City Clerk

Plans can be viewed in City Clerk's Office 781-393-2425

In Favor-Jeff Clark-Comcast
In Opposition-None
This portion of the hearing closed

Upon motion by Councillor Camuso-Granted

08-031A

CITY OF MEDFORD
NOTICE OF A PUBLIC HEARING

A Public Hearing will be held in the HOWARD F. ALDEN MEMORIAL CHAMBERS, CITY HALL, MEDFORD, MASSACHUSETTS, on Tuesday Evening, January 29, 2008 at 7:00 P.M., by Colonial Nissan of Medford Inc. to operate a Class IV Automotive Repair Shop at 104 Mystic Ave., Medford, Massachusetts.

Petitions and plans may be seen in the Office of the City Clerk, Room 103, City Hall, Medford, Massachusetts.

Call 781-393-2501 for any accommodations/aids. T.D.D. 781-393-2516.

The City of Medford is an EEO/AA/504 Employer.

08-031A(cont)

By Order of the City Council.

S/ Edward P. Finn
City Clerk

Advertised in Medford Daily News Mercury January 22, 2008

In Favor-Brian Lafferty, Concord Ma.
In Opposition-None
This portion of the hearing closed

Upon motion by Councillor Camuso-Granted

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-041

Petition by Colonial Nissan of Medford Inc for Class 1 Automotive Sales License for 104 Mystic Ave.

On File
Petition
Corporation Paper
Fire Dept
Health Dept.
Police Dept.
Treasurer
State Tax Form
Letter of Compliance

Addressing the Council-Brian Lafferty, Concord MA.

Amended by Councillor Marks that the petitioner check with the Fire Department to see if additional permits are needed for the site on Commercial Street.

Upon motion by Councillor Marks as amended-passed

MOTIONS, ORDERS AND RESOLUTIONS

08-042-Offered by President Burke

Whereas, MetroMedia Fiber Network filed for bankruptcy and reorganization,

Be it resolved, that the City Solicitor research and provide information on the status of MetroMedia Fiber Network, and the ownership of the fiber optic lines that run from the Winchester, Ma line to the Arlington, MA line.

Upon motion by Councillor Maiocco-passed

08-044-Offered by Councillor Marks

Be it resolved that Ann Baker Director of Finance and Auditing report back to the council with a detailed list of all proceeds, expenditures and current balance on all school department revolving accounts including the school activities fund for the past three years.

Amended by President Burke that Ann Baker report back on prior request on Community Schools and Recreation Accounts

Amended by Councillor Camuso that all reports be also forwarded to the Members of the School Committee.

Upon motion by Councillor Marks as amended-passed

Councillor Camuso motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-045-Offered by Councillor Camuso

Be it Resolved that the Medford City Council sends its sincere condolences to the family of Elizabeth Hudson who passed away recently. Mrs. Hudson is the mother of Sheila Hudson and the grandmother of Zachary who live on Alexander Avenue

Upon motion by Councillor Camuso-passed

08-046-Offered by Councillor Camuso

Be it Resolved that the Medford City Council has a moment of silence in memory of Joseph Connolly who passed away recently. Joseph was a longtime resident of Norton Ave.

Upon motion by Councillor Camuso-passed

08-047-Offered by Councillor Camuso

Be it Resolved that the Medford City Council has a moment of silence for Fred Fitzgerald who recently passed away. Mr. Fitzgerald is survived by his wife Mary and children Marissa, Brenda, Lauren, Adrienne and Ian and was a past president of North Medford Little League

Upon motion by Councillor Camuso-passed

08-049-Offered by Councillor Penta

Be It Resolved that a moment of silence be taken in memory of Harry Kolegian. Harry was a MHS graduate who taught clarinet and saxophone in his early musical years.

He has played in many recognized Boston Bands and was an avid supporter and participant of the MHS Alumni Band. Harry Kolegian was an excellent representative of an individual who practiced, played and supported the art of music in Medford.

Upon motion by Councillor Penta-passed

08-050-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council send its condolences to the family of Fred Fitzgerald who recently passed away and was active youth sports in the City and former North Medford Little League Baseball President.

Upon motion by Councillor Maiocco-passed

08-051-Offered by Councillor Maiocco

Be It Resolved that Catholic Schools be recognized and all those Parish Schools celebrating Catholic School Week in Medford be commended, St. Francis, St. Clements, St. Joseph's and St. Raphael's Schools.

Upon motion by Councillor Maiocco-passed

08-052-Offered by Councillor Marks

Be It Resolved that the Administration appoints a Medford Resident to the MWRA Advisory Board to serve a watchdog on behalf of Medford Taxpayers.

Amended by Councillor Maiocco, that Mayor look into appointing Councillor Marks as the MWRA Representative for Medford

Amended by Councillor Penta that the Mayor look into appointing a member of the Water and Sewer Commission to represent Medford to the MWRA Advisory Board

Amended by Councillor Marks that the representative who is appointed provides the Council with a quarterly update.

Upon motion by Councillor Penta as amended on a roll call vote of 7 in the affirmative and 0 the negative—passed

08-053-Offered by Councillor Camuso

Be It Resolved that the Medford City Council hold a Committee of the Whole Meeting to consider drafting HOME RULE PETITION, similar to the act the City of Cambridge recently passed. The act authorized the City of Cambridge to pay full salary and benefits to City employees who are assigned to and present in a theater of combat operations such as Iraq and or Afghanistan.

Amended by Vice President Lungo-Koehn that the Mayor report back as what is the current policy by the administration regarding, city benefits such as pensions, vacations, sick time, vacations, and seniority for such individuals.

Upon motion by Councillor Camuso as amended-passed

08-054-Offered by President Burke

Be It Resolved that the Medford City Council commend Eastern Bank's Charitable Foundation for their donation of \$5,000. towards the Veterans War Memorial and accept their check in behalf of the Citizens of Medford.

Upon motion by Councillor Camuso-passed

08-055-Offered by Councillor Penta

Be It Resolved that I, Robert Penta, Member of the Medford City Council being on the prevailing side of the vote on paper 08-030A and move for reconsideration of my vote.

Upon motion by Councillor Penta-passed

08-030A

Public Hearing Petition from Comcast for Grants of Location, Conduits approval for St. Mary's

In the street and sidewalk area, place one (1) three inch (3") diameter PVC conduit from pole #2234 approximately eleven feet (11') to the midline of St. Mary' Street. This work is required to continue service to the immaculate Conception Church (Midline of street used being street is jointly owned by Medford and Malden)

Amended by Councillor Penta that the City Solicitor provide an opinion as to why this petition needs Mayor's Approval and contractual with Comcast does the petition need to be further reviewed by the Mayor.

Upon motion by Councillor Penta as amended that the petition be tabled on a roll call vote of 4 in the affirmative and 3 in the negative (Camuso, Maiocco, Burke)-Tabled

08-056-Offered by President Burke, Vice President Lungo-Koehn, Councillors Camuso, Dello Russo, Marks, Maiocco and Penta

Be It Resolved that the Medford City Council go on record as being in opposition to any maintenance facility being located in Medford or any parcel located in Somerville that abuts the Mystic River.

Upon motion by Councillor Dello Russo on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Dello Russo motioned for suspension of the rules to report out paper regarding the DPW Facilities on James St.-passed

08-057-

**COMMITTEE OF THE WHOLE
MEETING REPORT
TUESDAY, JANUARY 29. 2009
ON SITE AT DPW YARD, JAMES STREET**

In attendance: President Burke, Vice President Lungo-Koehn, Councillors Camuso, Dello Russo, Marks, Maiocco, Penta, Paul Gere, Steve Tenaglia, Tim McCarthy

The purpose of the meeting was to review and discuss the DPW Yard facilities and equipment.

Recommendations:

IN COUNCIL

JANUARY 8, 2008

TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006 07-072-Intercept Program 07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be January 29, 2008

Records: The Records of the Meeting of January 22, 2008 were passed to Councillor Penta. Councillor Penta motioned to table the records-Tabled

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:42 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

February 12, 2008

Medford City Council
The Fifth Regular Meeting
Medford, Massachusetts
February 12, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso

Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Fifth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The tabled records of the meeting of January 22, 2008 were passed to Councillor Penta
The records of the meeting of January 29, 2008 were passed to Councillor Camuso

Those present and seated inside the hall were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger

Televised by Channel 16-Government Access

Council Meeting of February 12, 2008, was dedicated in the memory of Late Marilyn Catino Porreca, former Mayor and City Councillor.

Councillor Maiocco motioned to take paper **08-061**-out of order-passed

08-061-Offered by Councillor Maiocco

Be It Resolved that Whereas Marilyn Porreca had a long and distinguished career as an elected public official in the City of Medford, serving the Citizens of Medford as City Councillor and the First Women Mayor of the City, in her memory, the Mayor and the City Council dedicate the corner of Maverick Street, where Marilyn lived with her family for many years, Marilyn Porreca Corner in her honor.

Upon motion by Councillor Maiocco on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Maiocco motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-058-Petition by Donut & Donut Inc, 1185 Hancock St., Quincy, d/b/a Donut N Donuts, 53 Revere Beach Parkway, Medford for a Common Victuallers License

On File
Petition
Business Certificate #335
Health
Fire
Police
Treasurer
State Tax Form
Letter of Compliance
Workers Compensation Cert.
Building Dept.

Amended by Councillor Camuso that the petitioner work with the MBTA to control pest at the Train Station.

Upon motion by Councillor Marks as amended-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS(Cont)

08-059-Petition by Angelo Serino, Sign Art, 60 Sharon Street, Malden on behalf of Medford Optical, 16 High Street, Medford for a reversal of sign denial on OCD application 2008-05

Amended by Councillor Penta that Clerk provides documentation if the petitioner has changed hands and is in need of a business certificate.

Upon motion by Councillor Penta as amended-passed

08-060-Petition by Paul DeSantis, Sign Art, 60 Sharon Street, Malden on behalf of Brian Flynn, Remax Realty 375 Riverside Ave., Medford for a reversal of sign denial on OCD Application 2008-02 (Less than 6 feet from property line)

Amended by Councillor Camuso that the Building Commissioner report back if there a violation or infraction on the previous special permit or reversal of sign denial if the

business who obtain the permit leaves that location and the time frame to remove the signs or graphics at the previous location.

Amended by Councillor Penta, that a provision of approval be based on the petitioner removing all graphics and signage from the previous location.

Upon motion by Councillor Camuso as amended to refer to Sub Committee on Signs-passed

MOTIONS, ORDERS AND RESOLUTIONS

08-062-Offered by Vice President Lungo-Koehn

Be it resolved that the Medford City Council extend a Happy 90th Birthday wish to School Committee Man Alfred Pompeo.

Upon motion by Vice President Lungo-Koehn-passed

08-063-Offered by Councillor Camuso

Be it Resolved that Trash removal in the City of Medford be discussed

Amended by Councillor Penta that the Mayor and the Chief of Police enforce during the weekday and weekends trash that is expose that is located on the sidewalks by the property owner or business in Medford Square with the appropriate ticket.

Upon motion by Councillor Camuso amended-passed

08-064-Offered by Councillor Maiocco and Dello Russo

Be it resolved that the Mayor be requested to have the appropriate dept head contact the proper Somerville officials requesting a copy of the traffic impact study on the pending opening of the Ikea furniture store at the assembly square mall

Amended by Councillor Maiocco that contact be made with Ikea to appear before the City Council to discuss the traffic concerns of their operations.

Amended by Councillor Penta that Rep. Donato and Sciortino, State Senator Jehlen, the Mayor of the City, Medford Chief of Police, OCD Director and Mayor of Somerville respond back to the Council on their input and concerns concerning the traffic conditions at Wellington Circle due to the opening of Ikea in Assembly Square Mall.

Amended by Councillor Maiocco that the Office of Community Development obtain for the Council a copy of the Traffic Study and the Environmental Impact Study.

Upon motion by Councillor Maiocco as amended-passed

08-065-Offered by Councillor Maiocco

Be it resolved that the Medford City Council wish retired Medford police officer William Grassia good health and happiness in his retirement. Bill was a Medford police officer for 41 years, retiring last Thursday 1/31.

Upon motion by Councillor Maiocco-passed

Councillor Dello Russo motioned for suspension of the rules to address a paper concerning Officer Grassia-paper

08-067-Offered by Councillor Dello Russo

Be It that the City Council congratulates Officer William Grassia on the occasion of his retirement from the Medford Police Dept., after 41 years of dedicated service to our community.

Upon motion by Councillor Dello Russo-passed

Councillor Dello Russo motion to revert back to regular order of business-passed

08-066-Offered by Councillor Camuso

Be It Resolved that the Sober House on Fourth Street be discussed

Amended by Councillor Camuso that the City Solicitor report back if the City can recoup some the expenses that was incurred through its actions with the owner of the Sober House.

Amended by President Burke that the City Solicitor report if there are any legal issues pending with the Sober House property or its owner.

Amended by Councillor Maiocco that the Mayor report back if he is proposing any zoning ordinance change to protect the integrity of the neighborhoods in respect to Sober type housing.

Upon motion by Councillor Maiocco as amended-passed

Councillor Camuso motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-068-Offered by President Burke

Whereas, Comcast has just implemented a rate increase in Medford

Be It Resolved on behalf of requests by Medford ratepayers, that Comcast include "The National Geographic Channel" in its base channel line (under #100 channels)

Amended by Councillor Maiocco that Mayor report back as to why Boston Catholic TV is split EWT (Eternal World Network) and not be a full time channel.

Upon motion by Councillor Maiocco as amended-passed

08-069-Offered by Councillor Penta

Be It Resolved that the School Administration report back as to whether the Medford Public Schools Food Program uses any form of genetically altered food products.

Upon motion by Councillor Penta-passed

08-070-Offered by Councillor Penta

Be It Resolved that an MBTA Commuter Rail Representative appear before the Medford City Council to explain and answer questions as it relates to the unfortunate death of Loraine Silva last week at the West Medford Train crossing area.

Amended by Vice President Lungo-Koehn that the Chief of Police provide the Council if any exist with a detailed accident report.

Upon motion by Councillor Penta as amended on a roll call vote of 1 in the affirmative and 0 in the negative-passed

08-071-Offered by Councillor Camuso

Be It Resolved that the School Committee report on the status of the Video Production Program at MHS. Further the Medford City Council goes on record in support of the program.

Amended by Councillor Camuso that the School Committee and Supt. of Schools report back current vacancies, position that are going to be cut from the upcoming budget, anticipated retirements and if the position is going to be filled, current open teacher positions currently be filled with substitute teachers

Amended by Vice President Lungo-Koehn that Supt. of Schools provide the Council with any other cuts in the budget he is proposing for fiscal 2009.

Upon motion by Councillor Camuso as amended-passed

08-072-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its congratulations to MHS Faculty Member George Scarpelli and wish him good luck in his new job with the City of Somerville.

Upon motion by Councillor Camuso-passed

08-073-Offered by Councillor Camuso

Be It Resolved that the Fire Chief station a firefighter at Medford High School during the 3:00 PM to 11:00 PM shift during weekdays and weekends.

IN COUNCIL

JANUARY 8, 2008

TABLED

08-030A- Petition by Comcast place one (1) three inch (3") diameter PVC conduit from pole #2234 approximately eleven feet (11') to the midline of St. Mary' Street

IN COUNCIL

JANUARY 29, 2008

GRANTED

IN COUNCIL

JANUARY 29, 2008

RECONSIDERED

IN COUNCIL

JANUARY 29, 2008

TABLED

Public Participation

COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be January 29, 2008

Records:

The Records of the meeting of January 29, 2008 were passed to Councillor Camuso, Councillor Camuso reviewed the records and found them to be order and be approved-passed

The Tabled Records of the Meeting of January 22, 2008 were passed to Councillor Penta, Councillor Penta reviewed the records, found them to be in order and approved-passed

Adjournment:

Councillor Penta motioned that meeting be adjourned at 9:23 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

February 19, 2008

Medford City Council
The Sixth Regular Meeting
Medford, Massachusetts
February 19, 2008

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Sixth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 Absent (Penta)
Councillor Penta recorded present at 7:10 PM

SALUTE TO THE FLAG

RECORDS

The records of the meeting of February 12, 2008 were passed to Councillor Dello Russo

Those present and seated inside the hall were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger

Televised by Channel 16-Government Access

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-075-

Massachusetts State Lottery Commission

60 Columbian Street

Braintree, Massachusetts 02184-1738

Tel: (781) 849-5555

Fax: (781) 849-5546

Tty: (781) 849-5678

TIMOTHY P. CAHILL
Treasurer and Receiver General

MARK J. CAVANAGH
Executive Director

February 08, 2008

City of Medford
Licensing Board, Medford City Council Rm 204
City Hall, 85 George P. Hassett Drive
Medford, MA 02155

Dear Sir/Madam:

In accordance with Massachusetts General Laws, chapter 10, section 27A, (as amended on 5/20/96), you are hereby notified that an application for a Keno license has been received by the Massachusetts State Lottery Commission, (MSLC) from:

Panda Palace
442 Salem St
Medford, MA 02155

If the city/town objects to the issuance of the Keno license, it must claim its right to a Hearing before the MSLC within twenty-one(21) days of receipt of this letter.

In accordance with section 27A(b), the objection of the city or town must be "as a result of an official action" taken by said city or town regarding the Keno applicant. In order to be fair and apply the same criteria to all cities, towns, and applicants, the MSLC defines an "official action" to be one in which the applicant appeared, or was given the opportunity to appear, before the licensing authority to discuss the issue at the local level in a open hearing or meeting prior to the Hearing at the MSLC.

Please address your written objection to Charles McIntyre, General Counsel, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184

Very truly yours,

Arthur Buckley
Arthur Buckley
Supervisor, New Agent Licensing

Certified Mail - Return

Receipt Requested: 7007 1490 0001 2391 1830

THE LOTTERY

Supporting the 351 Cities and Towns of Massachusetts
Visit our Web Site: www.masslottery.com



RECEIVED
CITY CLERK
MEDFORD, MASS.
FEB 11 2 27 PM '08

Addressing the City Council –Sara and Fred Lin, Winchester, Owners of Panda Palace

Amended by Councillor Camuso that the City Solicitor report back if the City Council has the right or authority to object after the license has been awarded by the State Lottery.

Upon motion by Councillor Maiocco as amended to not object to the issuance of a Keno License on a roll call vote of 5 in the affirmative, 1 in the negative (Burke) and 1 absent (Penta)-No Objection

MOTIONS, ORDERS AND RESOLUTIONS

08-076-Offered by Vice President Lungo-Koehn

**CITY OF MEDFORD
CALL FOR
SPECIAL STATE ELECTION FOR THE REPRESENTATIVE
IN GENERAL COURT FOR THE TWENTY-THIRD
MIDDLESEX DISTRICT
Tuesday, March 4, 2008**

BE IT ORDERED: that the City Clerk be and hereby is authorized and directed to notify and warn such of the inhabitants of the City of Medford, as were qualified by law to vote for candidates at the Special State Election for the Representative in General Court for the Twenty-Third Middlesex District (Ward 3, Precinct 2, Ward 6, Precinct 1, and Ward 6, Precinct 2) on Tuesday, March 4, 2008, to assemble at the polling places in their respective wards and precincts, then and there to give in their votes for:

**REPRESENTATIVE IN GENERAL COURT FOR
THE TWENTY-THIRD MIDDLESEX DISTRICT**

BE IT FURTHER ORDERED: that the following named polling places be and they are hereby designated for use at the Special State Election for the Representative in General Court for the Twenty-Third Middlesex District shall open at 7:00 A.M. and remain open until 8:00 P.M. on March 4, 2008.

Voting Precincts

.Ward 3 Precinct 2 Temple Shalom, 475 Winthrop Street
Ward 6 Precinct 1 Brooks Elementary School, 388 High St.
Ward 6 Precinct 2 Walkling Court, Auburn Street & North Street

Entrances

Upon motion by Vice President Lungo-Koehn-passed

08-079-Offered by President Burke, Vice President Lungo-Koehn, Councillor's Camuso, Dello Russo, Maiocco, Marks and Penta

Be it resolved, That the Medford City Council offers its prayers and sympathy to School committeeman William Brady and his family on the untimely passing of his wife Dorothy

Upon motion by Councillor Camuso-passed

COMMUNICATIONS FROM THE MAYOR

08-077

REQUEST FOR EXPENDITURE FROM LAW DEPARTMENT CLAIMS OVER \$1,000.
ACCOUNT #01-161-532

Date: February 13, 2008

To: The President and Members of the
 Honorable City Council

Fr:: Michael J. McGlynn, Mayor (Signature on file w./paper)

Claimant Name: Safety Insurance-File #03-60
Date of Accident: February 18, 2003
Date of Settlement: October 26, 2007
Date of Trial: NA
Amount of Request: \$8,315.50
Claimant's Attorney O'Keefe & Gale

Description of Alleged Claim:

08-077(Cont)

The claimant, Safety Insurance as subrogee for its insured, Joseph Mtiza, 410 Chestnut Street, Lynn, MA. seeks compensation for repairs made to Mr. Mitza's motor vehicle which was struck by a DPW vehicle on Governors Avenue following a snowstorm. The accident occurred on February 18, 2003. The total amount initially expended by Safety Insurance was \$11,879.28. The case was settled prior to trial. The necessary releases have been obtained from the claimant.

Breakdown of Amount Requested

Medical Cost:	-0-
Lost Wages	-0-
Property Damage	\$8,315.50
Other	-0-
Total Settlement	\$8,315.50

Amended by Councillor Camuso that the City Solicitor provide the Council with a list of open cases

Amended by Councillor Camuso that the City Solicitor look into speeding up the claims

Upon motion by Councillor Camuso as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-080 - Offered by Councillor Camuso

Be It Resolved that I, Paul A. Camuso, City Councillor having voted on the prevailing side on paper

08-075, move for reconsideration of my vote.

Upon motion by Councillor Camuso-passed

08-075-Petition for Right to Object to Keno Issuance for Panda Palace

Upon motion to table the matter by Councillor Penta-passed
(Councillor Maiocco objected to the motion)

COMMITTEE REPORTS

08-078-Committee of the Whole Meeting Report from Tuesday, February 12, 2009 regarding the review and discussion of all papers in committee.

**COMMITTEE OF THE WHOLE
MEETING REPORT
TUESDAY, FEBRUARY 12, 2008**

Attendees: President Burke, Vice President Lungo-Koehn, Councillor's Camuso, Dello Russo, Maiocco and Marks.

The purpose of the meeting was to review and discuss all papers in committees

Recommendations:

Res.#	Description	Committee	Referred	Action
08-053	Home Rule Petition similar to Cambridge Theater of War	Whole	1/29/2008	Keep in Com
08-014	On Site meeting w/911 Officer and Chief to discuss messages	Whole		Keep in Com
07-659	Letter from Firefighters 1032	Whole		Receive & Place on file
07-653	Non Emergency Road work and Trash Collection be banned from 7AM-9AM, 4PM-6PM	Whole	11/13/2007	Keep in Com.
07-600	Meeting w/ new Engineer, water & sewer rates, meters, abatements	Whole	10/2/2007	Keep in Com
07-496	Petition by Suzanne O'Neil on Running the Government	Whole	6/12/2007	Receive & Place on file
07-320	Sober Houses Regulation	Whole	4/24/2007	Receive & Place on file
07-293	Support Senate Bill to purchase Health Insurance for City employees	Whole	4/3/2007	Receive & Place on file
07-094	Meeting with Water & Sewer Commission to go over Consultant Recommendations	Whole	2/27/2007	Receive & Place on file
07-081	Affordable Units on Brainard Ave	Whole	3/13/2007	Receive & Place on file
06-826	Method of Financial payment and contract negotiations on City Contracts	Whole	12/5/2006	Receive & Place on file

06-674	Illegal Billboards on Mystic Ave	Whole	9/12/2007	Receive & Place on file
06-597	Ted Tye, Public Safety Officials be invited to discuss public safety aspects of station landing	Whole	8/1/2006	Keep in Com/write letter to Gonzales
06-450	President call meeting Jack Buckley and Anne Baker on SPA	Whole	5/13/2006	Receive & Place on file
06-442	Invite City solicitor to COW to right language for Home Rule Petition on Auditor under Council	Whole	5/9/2006	Receive & Place on file
06-337	City Solicitor be invited to discuss Council's option in obtaining timely request from administration	Whole	4/11/2006	Receive & Place on file
06-290	Sending out water bills out monthly	Whole	3.28/06	Receive & Place on file
06-029	Item 2 Amendment Rescind Cable Act Ch. 662, of 1982/Authority on who can audit TV-3 Books	Whole	1/17/2006	Keep in Com
05-892	Council President schedule a meeting on water meter program	Whole	12/13/2005	Receive & Place on file
05-836	Council President call COW for Hormel Commission Appointee	Whole	11/15/2005	Receive & Place on file
05-831	Polling location, district lines and	Whole	11/15/2005	Receive & Place on

	times of elections			file
05-785	Types of businesses and parameters the City should be seeking for Medford Square	Whole	10/18/2005	Receive & Place on file
05-781	Meeting w/Comcast and Verizon discuss types of service problems Med Sq./plan for Wellington	Whole	10/18/2005	Receive & Place on file
05-736	Water and Sewer Comm hold every other meeting on Wed Eve/Water meeting	Whole	10/4/2005	Receive & Place on file
05-475	Council President call COW on priorities in the upcoming budget	Whole	5/24/2005	Receive & Place on file
05-416	Update on Rivers Edge	Whole	5/10/2005	Receive & Place on file
05-347	City entertain ling term lease to developer Governors Ave Garage	Whole	4/12/2005	Receive & Place on file
05-053	MVDC Update with Council on River's Edge in 6 weeks	Whole	2/1/2005	Receive & Place on file
05-044	Joint meeting with School Committee discuss School Deficit	Whole	2/1/2005	Receive & Place on file
04-761	Committee to oversee cable access, funding	Whole	12/14/2004	Receive & Place on file
04-615	Meeting set up for on-site LMH parking	Whole	10/12/2004	Receive & Place on file
04-419	Create planned program for 2nd Water Meter	Whole	6/1/2004	Receive & Place on file

02-776	Solicitors Opinion on 02-256 separate water and sewer rates Residential and Commercial	Whole	10/22/2002	Receive & Place on file
06-062	Green Line Extension be further discussed	Transport	1/24/2006	Receive & Place on file
06-008	State Delegation provide update Green Line	Transport	1/17/2006	Receive & Place on file
03-324	Green Line in Medford/Impact	Transport	4/15/2003	Receive & Place on file
02-859	Sub Comm on Transportation review multiple stops in Med. Sq.	Transport	12/10/2002	Receive & Place on file
02-078	Governors Special Commission on Barriers to Housing development	Elderly/Housing	2/5/2002	Receive & Place on file
02-044	Chapter 40B Comprehensive Permitting process Affordable Housing	Elderly/Housing	1/22/2002	Receive & Place on file
06-822	Dangerous Dog Problem 4 Morrison St	Public Safety	12/5/2006	Receive & Place on file
06-761	Issue of Parking Enforcement be discussed	Public Safety	10/24/2006	Keep in Com
06-754	Banning Dirt Bikes and Motor Scooters	Public Safety	10/24/2006	Receive & Place on file
06-750	Gang Task Force	Public Safety	10/17/2006	Receive & Place on file
06-256	Safety measures that ensure that Gas Cos. Gates were raised	Public Safety	3/7/2006	Keep in Com
06=090	Discuss Jerome and High, and Boston and High St.	Public Safety	2/14/2006	Receive & Place on file

	Public Safety				
05-547	Discuss entrance/exits to Fellsway Plaza	Public Safety		6/21/2005	Keep in Com
04-464	Feasibility of Meter Maids in the City	Public Safety		6/29/2004	Receive & Place on file
02-801	Lack of Affordable Housing/look into In-Law Apartments	Audit/Zoning		11/12/2002	Receive & Place on file
02-264	City Right of Ways by Teleco Companies	Audit, Fin,		3/12/2002	Receive & Place on file
06-286	Beano for Metropolitan Youth Services	Licensing		3/21/2006	Receive & Place on file
02-521	Review of Peddler's License and Goods Sold		Licensing	5/28/02	Receive and Place on file
06-009	Rules of the Medford City Council be reviewed	Marks	Rules		Keep in Committee
05-030	Future meeting called to review all council rules	Marks	Rules	1/18/05	Receive and Place on file
07-099	Sign Denial 38 High St, Renato Carpenito	Penta	Bus, Econ & Signs	3/6/07	Receive and Place on file
06-415	Atlas Liquors request for extended time change on electronic sign	Penta	Bus, Econ & Signs	5/2/06	Keep in Committee
05-312	Revise Chapter 94, section 7B Illuminated signs and lighting after regular hours	Penta	Bus, Econ & Signs	4/5/05	Receive and Place on file
07-553	Petition by Suzanne O'Neil to create ordinance on Public Shade Trees	Penta	Zoning	9/11/07	Receive and Place on file
07-295	Ceast and Desist Order 112 Second St	Penta	Zoning	4/3/07	Receive and Place on file
07-100	Review Zoning Districts for	Penta	Zoning	3/6/07	

	allowance of Keno				
06-749	Review Neon Signs in Medford Square	Penta	Zoning	10/17/06	Receive and Place on file
06-443	Linkage Legislation to be written	Penta	Zoning	5/9/06	
06-100	Paper 05-706 and George Connely response to require underground utilities drawing be scaled	Penta	Zoning	2/14/06	Receive and Place on file
06-055	City entertain swap transaction Medford Historical Society Building, Medford Square Revital.	Penta	Zoning	1/24/06	Keep in Committee
06-055	Explore Medford square Mixed Use Zoning	Penta	Zoning	1/24/06	Receive and Place on file
05-385	Building Com and Solicitor up with criteria in lieu of Board of Appeals	Penta	Zoning	5/3/05	Keep in Committee
04-778	Vision of Medford Square-Rezoning	Penta	Zoning	12/21/04	Receive and Place on file
04-402	Ord 94-308, section 7B be amended, Signs more suitable for discretionary min. business appear	Penta	Zoning	5/25/04	Receive and Place on file
04-014	Noise Ordinance be addressed in regards to updating ordinances	Penta	Zoning	1/6/04	Receive and Place on file

Upon motion by Councillor Maiocco that the committee report be adopted-Adopted

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-081-Offered by Councillor Camuso

Be It Resolved that the Medford City Council send its sincere condolences to the family of Val Tenaglia who passed away recently. Mr. Tenaglia is the husband of Stella Tenaglia and father of Steve Tenaglia who work for the City of Medford.

Upon motion by Councillor Camuso-passed

08-082-Offered by Councillor Maiocco

Be It Resolved that whereas graffiti has increased dramatically on the sound barrier along Craddock Ave. in Wellington, the Mayor be requested to have the proper department head contact the MBTA to increase patrols and have signage placed stating fines and prosecution for defacing the barrier and also the Medford Police Department be involved in this effort.

Amended by Councillor Maiocco that the Mayor have the shrubs in front of the wall cleaned out and the debris along the sidewalk picked up by DPW.

Amended by Councillor Penta that the MBTA General Manager report back to the City on the number of bus routes in the City, Locations of each Bus Stop, locations on where buses idle, a listing of properties owned by the MBTA in Medford.

Amended by Councillor Dello Russo that the MBTA General Manager provide a disclosure on the number of times buses were late for their routes last year in Medford, routes that were eliminated and routes that were altered in Medford, routes that were missed.

Amended by Councillor Marks that the MBTA repair the Bus Shelter by 121 Riverside Ave.

Addressing thr City Council-Joe Viglione, 56 Garfield Ave

Upon motion by Councillor Marks as amended-passed

08-083 -Offered by Councillor Maiocco

Be it Resolved that the DPW remove the Dating.Com signs along the roadways per the recommendation of Chief Sacco in regards to Council Resolution 07-620

Up motion by Councillor Maiocco-passed

08-084 -Offered by Councillor Marks

Be it Resolved that in regards to the response to Council Resolution 08-014 regarding Reverse 911 Messages, that the Chief of Police and Wallace Kountze: appear before the City council to explain the capacity of putting notices on the reverse 911 system, how many outgoing calls can it hold and its capacity, does the system have its own dedicated phones and what happens if a city wide crisis occurs who picks and chooses what part of the City to start with.

Upon motion by Councillor Marks-passed

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

07-685- Public Hearing NEXTG Networks-Fiber Optics Bow St.

IN COUNCIL DECEMBER 18, 2008 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

08-030A- Petition by Comcast place one (1) three inch (3") diameter PVC conduit from pole #2234 approximately eleven feet (11') to the midline of St. Mary' Street

IN COUNCIL JANUARY 29, 2008 GRANTED

IN COUNCIL JANUARY 29, 2008 RECONSIDERED

IN COUNCIL JANUARY 29, 2008 TABLED

Public Participation COUNCIL PAPERS IN COMMITTEE

Records:

The Records of the meeting of February 12, 2008 were passed to Councillor Dello Russo, Councillor Dello Russo reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Penta motioned that meeting be adjourned at 8:14 P.M.

A true copy

Attest

Edward P. Finn
City Clerk

February 26, 2008

Medford City Council
The Seventh Regular Meeting
Medford, Massachusetts
February 26, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Seventh Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL
7 Members Present

SALUTE TO THE FLAG

RECORDS

The records of the meeting of February 19, 2008 were passed to Vice President Lungo-Koehn

Those present and seated inside the hall were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Eric Moskowitz, Reporter

Televised by Channel 16-Government Access

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-086-out of order-passed

08-086-Petition to address the City Council on some exciting news regarding the 2008 Medford Youth Girls Softball season by Curt Dietrich

Representatives of the Girl's Softball League addressed the Council

Upon motion by Vice President Lungo-Koehn to receive and place on file-passed

Councillor Maiocco motioned for suspension of the rules to take paper 08-075- out of unfinished business-passed

08-075 Petition by State Lottery Commission for a No Objection to operate Keno at the Panda Palace

<u>IN COUNCIL</u>	<u>FEBRUARY 19, 2008</u>	<u>NO OBJECTION</u>
<u>IN COUNCIL</u>	<u>FEBRUARY 19, 2008</u>	<u>RECONSIDERED</u>
<u>IN COUNCIL</u>	<u>FEBRUARY 19, 2008</u>	<u>TABLED</u>

Addressing the Council-Sara Lin, Winchester, Owner of Panda Palace, submitted documents

Upon motion by Councillor Maiocco to not object on a roll call vote of 5 in the affirmative and 2 in the negative (Penta, Burke)-passed

Councillor Camuso motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-085-Petition by Medford Lodge of Elks BPOC #915 19 Washington St., Medford for an Automatic Amusement License to operate three Amusements Machine

On File
CORI-Police for John Fiore, Distributor 11 Lake St., Wakefield
Business Certificate #292
Fire Dept.
Building Dept.
Petition
State Tax Form
Request for Letter of Compliance

Councillor Camuso wanted the Council and public that he is a member of the Lodge of Elks

Upon motion by Councillor Marks-Granted

08-087-Petition to address the Council by Joseph Viglione 56 Garfield Ave on the topic of the City Solicitor's Report on TV-3

Addressing the Council-Joe Viglione, 56 Garfield Ave, submitted documents

Upon motion by Councillor Maiocco to receive and place on file-passed

MOTIONS, ORDERS AND RESOLUTIONS

08-088 -Offered by Councillor Marks

Be it Resolved that the sidewalk at 20-22 Mayberry Ave. be replaced in the interest of public safety.

Upon motion by Councillor Marks-passed

08-089 -Offered by Councillor Marks

Be it Resolved that the tree at 24 Diane Rd., be removed in the interest of public safety.

Amended by Councillor Maiocco that the tree at 23 Essex St be removed and 8-10 Ronalee Rd., be trimmed.

Upon motion by Councillor Marks as amended-passed

08-090 -Offered by Councillor Marks

Whereas the construction of the new Dunkin Donuts on Mystic Ave is under way and
Whereas the council approval of the special permit for extended hours and drive thru
were

granted with multiple conditions including that a full traffic study be done at the
completion

of construction and the cost of said study be paid by the owner up to \$25,000 than

Be it resolved that the Medford City Council instruct the office of Community
Development

to notify the property owners in writing of their responsibility.

Amended by Councillor Maiocco that the prior Committee Report with the list of
provisions be forwarded to the Council

Upon motion by Councillor Marks as amended-passed

08-091 -Offered by Councillor Marks

Be it resolved that the Director of Community Development respond back to the council
on why the request for new traffic lights at the corner of Willis and Harvard were denied
and what are the next steps to replacing the existing lights.

Amended by Councillor Camuso that the Mayor report back if the lights can be funded
by Federal Grants

Upon motion by Councillor Marks as amended-passed

08-092-Offered by Councillor Maiocco

Be it resolved that the Mayor direct the proper department to initiate a city wide pot hole patrol in an effort to fill and fix the significant number of pot holes causing public safety hazards on Medford Streets.

Upon motion by Councillor Maiocco-passed

Councillor Camuso motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-093-Offered by President Burke

Be It Resolved that due to the Special Election for the State Representative Seat that will take place on March 4, 2008, that the meeting of the City Council on that date be cancelled

Upon motion by Vice President Lungo-Koehn-passed

08095-Offered by Councillor Penta

Be It Resolved that a moment of silence be taken for the family of Louis Labella on his recent passing

Upon motion by Councillor Penta-passed

08-094-Offered by All Members of the City Council

Be It Resolved that this body send its condolences to the family of the late Carole Pflaumer, sister of Sheila and sister-in-law to Mayor Michael McGlynn

Upon motion by Councillor Penta-passed

08-096-Offered by Councillor Marks

Be It Resolved that the Hours of Operation at Domino's Pizza located on Mystic Ave., be discussed

Amended by Councillor Marks that the Code Enforcement Office be out in full force during the hours of operation when the business should be closed to make sure that the operation is adhering the ordinance for extended hours of operation.

Amended by Councillor Marks that a Police Cruiser monitor the operations hours and if in violation enforce the appropriate fines

Amended by Councillor Maiocco that a Show Cause Hearing be scheduled after receiving a letter from Chief Sacco and John Bavuso that they witnessed the operation being open passed their approved hours of operation in 2 weeks.

Upon motion by Councillor Marks as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

07-685- Public Hearing NEXTG Networks-Fiber Optics Bow St.

IN COUNCIL DECEMBER 18, 2008 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

08-030A- Petition by Comcast place one (1) three inch (3") diameter PVC conduit from pole #2234 approximately eleven feet (11') to the midline of St. Mary' Street

IN COUNCIL JANUARY 29, 2008 GRANTED

IN COUNCIL JANUARY 29, 2008 RECONSIDERED

IN COUNCIL JANUARY 29, 2008 TABLED

08-075 Petition by State Lottery Commission for a No Objection to operate Keno at the Panda Palace

IN COUNCIL FEBRUARY 19, 2008 NO OBJECTION

IN COUNCIL FEBRUARY 19, 2008 RECONSIDERED

IN COUNCIL FEBRUARY 19, 2008 TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006 07-072-Intercept Program 07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008

Records:

The Records of the meeting of February 19, 2008 were passed to Vice President Lungo-Koehn, Vice President Lungo-Koehn reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:09 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

March 11, 2008

Medford City Council
The Eighth Regular Meeting
Medford, Massachusetts
March 11, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Eighth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 Absent (Penta)

SALUTE TO THE FLAG

RECORDS

The records of the meeting of February 26, 2008 were passed to Councillor Maiocco

Those present and seated inside the hall were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Rob Barry, Reporter

Televised by Channel 16-Government Access

HEARINGS

08-099

CITY OF MEDFORD
NOTICE OF A PUBLIC HEARINGS

A Public Hearing will be held by the Medford City Council in the Howard F. Alden Memorial Auditorium, City Hall, 85 George P. Hassett Drive, Medford, Massachusetts, on Tuesday Evening, March 11, 2008, at 7:00 P.M. on petitions from Attorney Robert Abruzese, Abruzese and Barclay Law Office, 92 High St., Medford on behalf of Michael Gervais, 34 Diamond Hill Rd., Pelham NH, for a Special Permit to amend the zoning ordinance in accordance with Medford Zoning Ordinance Chapter 94, City of Medford Zoning Ordinance, section 94-148 (d) Table of Use Regulations, Use 30, to operate Retail Sales at the location 4000 Mystic Valley Parkway, Medford, MA. Proposed Retail area 1,060 sq. ft. as indicated on Plot Plan File number 17311, On said site being located in a (I) Industrial Zoning District:

Petitions and plans may be seen in the Office of the City Clerk, Medford City Hall, Medford, MA.

Call 393-2501 for any accommodations/aids. T.D.D. 781-393-2516.

08-099(CONT)

The City of Medford is an EEO/AA/504 Employer. For information, contact the City Clerk 781-393-2425

By order of the City Council.

s/ Edward P. Finn
City Clerk

Advertise Medford Daily Mercury February 20 and February 27, 2008

08-099(Cont)

Addressing the Council-Attorney Robert Abruzese, 92 High St, Medford

Those in Favor-Attorney Robert Abruzese, 92 High St.

Those in Opposition-None

This portion of the hearing is closed

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Penta)-Granted

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-224-Petition by Alan Paul Stein, 86 Wolcott Street, Medford, D/B/A Giuseppe's Kitchen 123-125 Boston Ave., Medford for a Common Victualler's License

On File

Petition

Business Certificate #45

Building Dept.

Health Dept

Fire Dept.

Police Dept.

State Tax Form

Request for Letter of Compliance

Treasurer

Upon motion by Councillor Marks-Granted

08-225-Petition by Carlos F. Vargas, 123 West Wyoming Ave., Apt #2, Melrose for a Taxi-Operators License

CORI-On File w/Police

Upon motion by Councillor Marks-Granted

At this time Boy Scout Troop 421 was recognized by Councillor Marks

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-100 out of order-passed

08-100

To: President Stephanie Muccini Burke and

Members of the Medford City Council

City Hall

Medford, MA 02155

Dear Madam President and Members of the Medford City Council:

On May 16, 2007 I submitted for your approval a Home Rule Petition to be sent to the General Court to increase the number of licenses for the sale of wines and malt beverages in the City of Medford from fifteen (15) [the number of such licenses was limited by Chapter 75 of the Acts of 2001] to twenty five (25).ⁱ¹

Subsequently our State delegation has informed me that any increase in the number of said licenses should bear a relationship with economic development factors.

In accordance with this advice and information, I respectfully request and recommend that your Honorable Body approve the following Home Rule Petition to be sent to the General Court to increase the number of licenses for the sale of wines and malt beverages in the City of Medford. If this Home Rule Petition is approved it will increase the number of such licenses to a maximum of twenty-five (25).

HOME RULE PETITION

AN ACT INCREASING THE NUMBER OF LICENSES FOR THE SALE OF WINES AND MALT BEVERAGES IN THE CITY OF MEDFORD FROM FIFTEEN TO TWENTY FIVE

08-100(Cont)

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding sections 11 and 17 of chapter 138 of the General Laws, any vote cast in the city of Medford pursuant to chapter 595 of the acts of 1977, the provisions of Chapter 75 of the Acts of 2001 or any other general or special law or any rule or regulation of the city of Medford to the contrary, the licensing authority of the city of Medford may, subject to the approval of the alcoholic beverages control commission issue from time to time to a duly licensed owner of a restaurant, a license for the sale of wines and malt beverages to be drunk on the premises.

The number of licenses granted issued shall not exceed twenty five (25) which shall include the fifteen (15) licenses which were authorized by Chapter 75 of the Acts of 2001 and an additional ten (10) licenses which may be granted in the following economic development areas, the boundaries are defined as follows in accordance with the 2000 U.S. census:

West Medford Area: Census Tracts 3393 and 3392;

Medford Square Area: Census Tract 3391;

Hillside Area: Census Tracts 3394, 3395, 3399 and 3400;

South Medford Area: Census Tracts 3396 and 3397;

Wellington Area: Census Tract 3398.

The local licensing authority may issue special licenses for the sale of wines and malt beverages pursuant to section 14 of said chapter 138. A license granted under this section shall be exercised only in the dining room of the restaurant and in other public rooms or areas as certified by the licensing authority and as the authority may deem reasonable and proper and approved in writing. There shall be a minimum seating capacity of 19 seats in a restaurant in which malt beverages and wine are served pursuant to a license granted under this section. The licensing authority shall not require, as a condition to the issuing of a license under this section, that parking be provided for the licensed establishment other than the

parking that is required by applicable zoning requirements. Licenses granted under this section shall be subject to all of said chapter 138 except said sections 11 and 17. The licensing authority shall not approve the transfer of the 25 licenses to any other person, organization, corporation or location after the initial issuance. The local licensing authority in

the city of Medford shall submit a written report to the chairpersons of the joint committee on government regulations annually, by July 31, on the status, location and use of the 25 liquor licenses.

SECTION 2. The Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

SECTION 3. This act shall take effect upon its passage.

Very truly yours, (Signature on file w/paper)

Michael J. McGlynn, MAYOR

Addressing the Council
Mark Rumley, City Solicitor, 50 Woodrow Ave
Rep. Paul Donato, 48 Maurice St.

Upon motion by Councillor Camuso to Table-Tabled

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

MOTIONS, ORDERS AND RESOLUTIONS

08-226-Offered by Councillor Maiocco

Be it resolved that the Medford City council offer its sincere condolences the family of former Medford Police Lt. Harold White, who recently passed away.

Upon motion by Councillor Maiocco-passed

08-231-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council offers its sincere condolences to the family of former City Hall Employee Ellie O'Neil on the passing of her son Robert G. O'Neil

Upon motion by Councillor Maiocco-passed

Councillor Camuso motioned for suspension of the rules to address condolences in the possession of the City Clerk-passed

08-232-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Sgt. Vincent Bagnell a retired member of the Medford Police Department on his recent passing.

Upon motion by Councillor Maiocco-passed

08-233-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Robert O'Neil who passed away recently. Mr. O'Neil is the son of City Hall employee Ellie O'Neil and the brother of Medford Fire Department Lt. Steven O'Neil

Upon motion by Councillor Maiocco-passed

08-227-Offered by President Burke and Councillor Maiocco,

Whereas, the condition of Main Street, outside the Medford Police Dept is in deplorable condition,

Be it resolved, that the City temporarily fill in potholes and attempt to secure funding for resurfacing in the spring, in the interest of public safety.

Amended by Councillor Marks that the City Clerk write to the Owners of Fellsway Plaza Trust on repairing the holes at the entrance to the plaza from Riverside Ave and entering towards Stop and Shop.

Upon motion by Councillor Maiocco as amended-passed

08-228-Offered by Councillor Marks

Be it resolved that the painted crosswalk at the corner of Salem St and Hadley Place be replaced with a thermoplastic crosswalk in the interest of public safety and further be it resolved that the department of public works include within in this years budget funding to replace all our painted crosswalks with thermoplastic to improve pedestrian safety city wide.

Upon motion by Councillor Marks-passed

08-229-Offered by Councillor Marks

Be it resolved that the licensing subcommittee meet to discuss the issue of abandoned shopping carts throughout our community and that a notice be sent requesting all business that provide these carts to attend.

Upon motion by Councillor Marks to refer to Sub Committee on Licensing-passed

08-230-Offered by Vice President Lungo-Koehn

Be it resolved that the Medford City Council congratulate the Medford High School Girls Basketball Team and GirlsIce Hockey team for their successful seasons and for making it to the State tournament.

Amended by Vice President Lungo-Koehn that the two teams be awarded Council Commendations for their accomplishments at a upcoming meeting that Vice President Lungo-Koehn will coordinate with the teams.

Upon motion by Vice President Lungo-Koehn as amended-passed

COMMUNICATIONS FROM THE MAYOR

08-097

**REQUEST FOR EXPENDITURES FROM LAW DEPARTMENT CLAIMS OVER
\$1,000.00 ACCOUNT #010-151-5762**

Date: February 28, 2008

To: The President and Members of the
Honorable Medford City Council

08-097(Cont)

Fr: Michael J. McGlynn, Mayor

Claimant Name: John LaBella and James Sheehan - File #03-143 and 03-181

Date of Accident: March 6, 2003

Date of Settlement: November 15, 2007

Date of Trial Result: NA

Amount of Request: **\$14,000.00** (\$7,000 to LaBella and \$7,000 to Sheehan)

Claimant's Attorney: Christopher A. Duggan, Esquire

Description of Alleged Claim:

On March 6, 2003, at approximately 5:30 p.m., the claimant, John LaBella, was operating his vehicle on Foss Street at or near the intersection with Guild Street. His passenger in the vehicle was James Sheehan. It was snowing at the time and the road was icy. As LaBella approached the intersection, he alleged that a City of Medford plow truck suddenly pulled out in front of him causing him to swerve his vehicle in order to avoid the plow. As a result of the swerve, LaBella lost control of his vehicle and slid into a utility pole causing extensive damage to the vehicle and personal injuries to both himself and Sheehan. During the discovery process it was not absolutely determined that it was City plow that may have caused the alleged accident although both LaBella and Sheehan both testified under oath in depositions that they had observed the City's seal on the door of the plow. Both were taken by ambulance to the Melrose-Wakefield Hospital for emergency treatment. Both had medical bills in excess of \$3,000. The case was settled prior to trial. The necessary Releases have been obtained from the claimants.

Breakdown to Amount Requested:

Medical Cost: -0-

Lost Wages: -0-

Property Damage: -0-

Other: \$14,000.00
Total Settlement: \$14,000.00

Upon motion by Councillor Marks to table until Council can confer with City Solicitor-Tabled

08-098

REQUEST FOR EXPENDITURES FROM LAW DEPARTMENT CLAIMS OVER \$1,000.00 ACCOUNT #010-151-5762

Date: February 28, 2008

To: The President and Members of the
Honorable Medford City Council
Fr: Michael J. McGlynn, Mayor

Claimant Name: Heidi C. Ross, File # 07-83
Date of Accident: October 2, 2007
Date of Settlement: February 14, 2008
Date of Trial Result: NA
Amount of Request: **\$3,047.00**
Claimant's Attorney: None

Description of Alleged Claim:

The claimant, Heidi C. Ross, 12 Valley Street, Medford, MA, seeks reimbursement for damages and expenses incurred as a result of damage to her home and personal property as a result of sewage backup into her basement on October 2, 2007. The Department of Public Works has confirmed that the seepage occurred as a result of work the DPW had performed previously in the street that may have caused or contributed to sewage flowing into her home. The necessary Releases have been obtained.

Breakdown to Amount Requested:

Medical Cost: -0-
Lost Wages: -0-
Property Damage: \$3,047.00
Other: -0-
Total Settlement: \$3.047.00

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Penta)-Passed

Vice President Lungo-Koehn motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-234-Offered by Councillor Camuso

Be It Resolved that the Water and Sewer audit be discussed. Furthermore any surplus in the water and sewer account be put towards lowering the rate for the consumers

Amended by Councillor Marks that an itemized listing of who is outstanding in their balances to date.

Upon motion by Councillor Camuso to refer to Sub Committee on Audit, Taxation-passed

Councillor Maiocco motioned for suspension of the rules to take paper 08-097 out of unfinished business-passed

08-097

**REQUEST FOR EXPENDITURES FROM LAW DEPARTMENT CLAIMS OVER
\$1,000.00 ACCOUNT #010-151-5762**

Date: February 28, 2008

To: The President and Members of the
Honorable Medford City Council

Fr: Michael J. McGlynn, Mayor

Claimant Name: John LaBella and James Sheehan - File #03-143 and 03-181

Date of Accident: March 6, 2003

Date of Settlement: November 15, 2007

Date of Trial Result: NA

Amount of Request: **\$14,000.00** (\$7,000 to LaBella and \$7,000 to Sheehan)

Claimant's Attorney: Christopher A. Duggan

IN COUNCIL

MARCH 11, 2008

TABLED

Addressing the City Council-Mark Rumley, City Solicitor, 50 Woodrow Ave.

Upon motion by Councillor Marks to Table-Tabled

Vice President Lungo-Koehn motioned for suspension of the rules to take papers 08- and 07-685 out of unfinished business-passed

08-030A- Petition by Comcast place one (1) three inch (3") diameter PVC conduit
from pole #2234 approximately eleven feet (11') to the midline of St. Mary'
Street

IN COUNCIL

JANUARY 29, 2008

GRANTED

IN COUNCIL

JANUARY 29, 2008

RECONSIDERED

IN COUNCIL

JANUARY 29, 2008

TABLED

Upon motion by Vice President Lungo-Koehn-Granted

07-685-

Public Hearing NEXTG Networks-Fiber Optics Bow St.

IN COUNCIL

DECEMBER 18, 2008

TABLED

Upon motion by Councillor Maiocco to receive and place on file-passed

08-0236-Offered by Councillor Maiocco

Whereas in reference to prior paper 08-020 on fire alarms at Medford High School and response back from John "Jack" Buckley, Director of Management and Operations dated January 30, 2008

Be It Resolved that Jack Buckley supply the Council the cost of repair associated with Wayne Alarm and a copy of the comprehensive report and listing of recommended replacement equipment

Upon motion by Councillor Maiocco-passed

08-242-Offered by Vice President Lungo-Koehn

Be It Resolved that the Medford City Council send its best wishes for safe return to Michael O'Brien of the Middlesex Sheriffs Department on his upcoming Military Tour of Duty in Iraq and thank him for keeping our country safe.

Upon motion by Vice President Lungo-Koehn

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL

OCTOBER 24, 2006

TABLED

IN COUNCIL

OCTOBER 23, 2007

TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL

MAY 1, 2007

TABLED

07-685- Public Hearing NEXTG Networks-Fiber Optics Bow St.

IN COUNCIL

DECEMBER 18, 2008

TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL

JANUARY 8, 2008

TABLED

08-030A- Petition by Comcast place one (1) three inch (3") diameter PVC conduit from pole #2234 approximately eleven feet (11') to the midline of St. Mary' Street

IN COUNCIL

JANUARY 29, 2008

GRANTED

IN COUNCIL

JANUARY 29, 2008

RECONSIDERED

IN COUNCIL

JANUARY 29, 2008

TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008

Records:

The Records of the meeting of February 26, 2008 were passed to Councillor Maiocco, Councillor Maiocco reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:20 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

March 18, 2008

Medford City Council
The Ninth Regular Meeting
Medford, Massachusetts
March 18, 2008

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council Vice President Breanna Lungo-Koehn called the Ninth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The records of the meeting of March 11, 2008 were passed to Councillor Marks

Those present and seated inside the rail were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Rob Barry, Reporter

Televised by Channel 16-Government Access

Council President Burke from the floor motioned for suspension of the rules to take paper 08-100 out of unfinished business-passed

08-100 Home Rule Petition to Increase Licenses for Wine and Malts

IN COUNCIL **MARCH 11, 2008** **TABLED**

Addressing the Council-Cheryl White, Executive Director, Chamber of Commerce

Upon motion by Councillor Penta to Table on a roll call vote of 2 in affirmative (Penta, Maiocco) and 5 in the negative-Tabled failed

Upon motion by President Burke from the floor on a roll call vote of 7 in the affirmative and 0 in the negative-Passed

08-248-Offered by Councillor Penta

Be It Resolved that the City Solicitor report back on his opinion if it is legal to quarantine the number of licenses issued to the City by the State Legislators based on economic development and also are there any other business areas in the City not covered by the census tract (s) as proposed

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Maiocco motioned for suspension of the rules to take paper 08-241 out of order-passed

08-241-Offered by Councillor Maiocco

Be It Resolved that Judge Paul Cavanaugh be allowed to address the Council at this time

Judge Cavanaugh addressed the Council on the recommendation of honoring Michael Bloomberg, Medford High School graduate

Upon motion by Councillor Camuso to refer to Committee of the Whole-passed

Council President Burke from the floor motioned to take paper 08-243 out of order-passed

08-243-Offered by President Burke,

Whereas, the City of Medford enacted Division 3-Private Streets-sec. 74-91. temporary repairs of private ways, which includes the funding mechanism for street repairs to private ways to include a 50% match by abutters of the private way,

Whereas, there is no offset or credit in the tax rate to the residents of private ways who assist in the funding of other public way repairs,

Be it resolved, that the Committee of Whole meet to discuss this ordinance and determine if it remains a fair and equitable manner for repairs to private ways.

Upon motion by President Burke from the floor-passed

President Burke from the floor motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-237-Petition by Robert LaVine, Ford Sign Service, on Behalf of Jiffy Lube, 222 Mystic Ave to reverse signs denials on the following OCD Applications:

1. OCD Application 2008-08C (EO1) " Excessive Number of Signs"
2. OCD Application 2008-08G (EO2) " Excessive Number of Signs"
3. OCD Application 2008-08J (EO3) "Excessive Number of Signs"
4. OCD Application 2008-08I (EO4) " Excessive Number of Signs"
5. OCD Application 2008-08H (EO5) "Excessive Number of Signs"
6. OCD Application 2008-08D (EO8) "Excessive Number of Signs"
7. OCD Application 2008-08E (EO9) "Excessive Number of Signs"
8. OCD Application 2008-08B (E10) ' Excessive Number of Signs"
9. OCD Application 2008-08K (E-11) "Excessive Number of Signs"

10. OCD Application 2008-08L (NO1) "Excessive Number of Signs"
11. OCD Application 2008-08F (NO2) " Excessive Number of Signs"
12. OCD Application 2009-08A (NO3) "Excessive Number of Signs"

Upon motion by Councillor Penta to refer to Sub Committee on Signs-passed

MOTIONS, ORDERS AND RESOLUTIONS

08-238-Offered by Councillor Marks

Be it resolved that the Administration update the City of Medford's website to include an online service that allows residents to pose questions and request services directly to the appropriate employee or department as well as track responses 24 hours a day.

Upon motion by Councillor Marks-passed

08-239-Offered by Councillor Marks

Whereas the City of Medford is concerned about the environmental impacts of climate change and recognizes global warming as a prevalent issue and

Whereas Medford is poised to be a leader in the effort to address this problem at the local level by dedicating resources and taking proactive steps to reduce carbon emission than.

Be it resolved that the City of Medford designate 2% of all city owned public parking lot spaces as preferred parking for hybrid and alternative fuel vehicles.

08-239 (Cont.)

Amended by Councillor Penta that the Traffic Commission and Off Street Parking Commission on the West Medford Commuter parking on Playstead Rd. on how they can allow vehicles to drive across the middle of the street through the parking spaces and then to park against the fence.

Upon motion by Councillor Marks as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-240-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council commend and congratulate Medford Student Athlete Courtney White, member of the undefeated and Division 1 Champion Saint Mary's of Lynn Varsity Girls Hockey Team. Courtney is the granddaughter of former City Manager John Ghiloni

Upon motion by Councillor Maiocco to send a letter to the family and John Ghiloni as well as a council commendations to Courtney White from the Council-passed

Councillor Camuso motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-246-Offered by Councillor Camuso

Be It Resolved that the MHS Nursing Staff be commended for a great job saving a student at the MHS Blood Drive

Upon motion by Councillor Camuso-passed

08-244-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Joan Anderson who recently passed away

Upon motion by Councillor Camuso-passed

08-245-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Evelyn Hunt who passed away recently. Mrs. Hunt is the mother of Medford School Teacher Betty McKeown

Upon motion by Councillor Camuso-passed

Councillor Maiocco motioned to revert back to regular order of business-passed

COMMITTEE REPORTS

07-600- Sub Committee on Audit, Finance, Budgets and Taxation Committee Report on Water & Sewer from March 18, 2008 with paper 08-234

Sub Committee on Audit, Finance, Budgets and Taxation Meeting Report March 18, 2008

In attendance: Robert Maiocco, Chair, Stephanie Burke, Committee, Frederick Dello Russo, Committee, Councillor Camuso, Councillor Lungo-Koehn, Councillor Marks, John Sullivan, Fred Pompeo, Anne Baker, Dom Camarra, Dottie Filanders, Don Clemons, John Storella, Andy Castagnetti. Casandra Koliantis

The purpose of the meeting was to review papers 07-600 and 08-234 and the Water and Sewer Audit

Recommendations

1. That the Auditor provide the Council with a listing of top commercial users

Upon motion by Councillor Maiocco to keep in committee-passed

President Burke from the floor motioned to take paper 08-097 out of unfinished business and the committee of the whole report.

08-097 REQUEST FOR EXPENDITURES FROM LAW DEPARTMENT CLAIMS
OVER \$1,000.00 ACCOUNT #010-151-5762

: John LaBella and James Sheehan - File #03-143 and 03-181
\$14,000.00 (\$7,000 to LaBella and \$7,000 to Sheehan)

IN COUNCIL

MARCH 11, 2008

TABLED

**Committee of the Whole
Meeting Report
Tuesday, March 18th 2008**

The purpose of the meeting was to discuss Law Claim paper 08-097.

Attendees: President Burke, Councillors Lungo-Koehn, Camuso, Marks, Dello Russo, Maiocco and Asst. Solicitor Anthony Santoro

At this time Councillor Camuso moved to go executive session on a roll call vote of 6 in the affirmative and 1 absent (Penta)

Councillor Camuso motioned to reconvene from Executive Session on a roll call vote of 6 in the affirmative and 1 absent (Penta)

Upon motion by Councillor Maiocco that the paper be approved and reported out-passed (Opposed Lungo-Koehn)

Upon motion by President Burke that the Law Claim be approved on a roll call vote of 6 in the affirmative and 1 in the negative (Lungo-Koehn)-Granted

08-247-Offered by Councillor Marks

Be It Resolved that the Council President call a Committee of the Whole Meeting to determine the parameters of the traffic study pertaining to the Dunkin Donuts on Mystic Ave.

Upon motion by Councillor Marks-passed

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

08-097 REQUEST FOR EXPENDITURES FROM LAW DEPARTMENT CLAIMS
OVER \$1,000.00 ACCOUNT #010-151-5762

: John LaBella and James Sheehan - File #03-143 and 03-181
\$14,000.00 (\$7,000 to LaBella and \$7,000 to Sheehan)

IN COUNCIL MARCH 11, 2008 TABLED

IN COUNCIL MARCH 11, 2008 TABLED

08-100 Home Rule Petition to Increase Licenses for Wine and Malts

IN COUNCIL MARCH 11, 2008 TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008

Records:

The Records of the meeting of March 11, 2008 were passed to Councillor Marks, Councillor Marks reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:40 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

March 25, 2008

Medford City Council
The Tenth Regular Meeting
Medford, Massachusetts
March 25, 2008

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Tenth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The records of the meeting of March 18, 2008 were passed to Councillor Penta

Those present and seated inside the rail were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Rob Barry, Reporter

Televised by Channel 16-Government Access

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-252 out of unfinished business-passed

08-252-Offered by Vice President Lungo-Koehn

Be it resolved that the Graffiti problem in Medford be discussed.

Addressing the Council
Suzanne, 6 Trainer Ave
John Byers, College Ave

Amended by Vice President Lungo-Koehn that the Mayor contact the Middlesex County Sheriffs Department for assistance in cleaning up the graffiti around the City

Amended by Vice President Lungo-Koehn that the Mayor notify the DPW Parks Department address the concerns of graffiti throughout the City's Parks

Amended by Councillor Marks that the Mayor has the City Solicitor draft an ordinance with the maximum penalty on graffiti

Amended by Councillor Marks that the Chief of Police incorporate Graffiti violations into the DARE Education program

Upon motion as amended by Vice President Lungo-Koehn-passed

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-250-Petition by Redberry Resto Brands International Inc, d/b/a Pizza Hut, 282 Mystic Avenue, Medford for a Common Victuallers License

On File
Petition/Application
Business Certificate #29
Building Dept.
Fire Dept.
Traffic Dept.
Health Dept.
Treasurer
State Tax Form
Corporation Papers
Letter of Compliance Request

Addressing the Council
John Coco, Area Manager

Upon motion by Councillor Marks-Granted

MOTIONS, ORDERS AND RESOLUTIONS

08-249-Offered by Councillor Camuso

Be It Resolved that the Medford City Council works with the Mayor and the City Solicitor to draft an ordinance to license and regulate junk and second hand dealers in the City of Medford.

Upon motion by Councillor Camuso to refer to Sub Committee on Licensing-passed

08-251-Offered by Vice President Lungo-Koehn

Be it resolved that the newly established recycling and trash committee look into the possibility of businesses also having the opportunity to have their recycling picked up rather than having to bring it to the city yard themselves.

Amended by Vice President Lungo that the City's Committee on Recycling look into a more aggressive partnership with the Home Owner

Amended by President Burke that the Senior Housing complexes be incorporated.

Upon motion by Vice President Lungo-Koehn as amended-passed

Councillor Camuso motioned for suspension of the rules to address papers in the possession of the committee-passed

08-259-Offered by Councillor Penta

Be It Resolved that the issue of Coyotes be discussed

Amended by Councillor Penta that the paper be forwarded to the Health department concerning the Myrtle Street area.

Upon motion by Councillor Penta as amended-passed

08-260-Offered by Councillor Penta

Be It Resolved that the issue of another Cable Provider be discussed

Amended by Councillor Penta that Mayor be requested to seek out additional cable providers for the Citizens of Medford.

Upon motion by Councillor Penta as amended-passed

08-261-Offered by Vice President Lungo

Be It Resolved that the City Council allow John J. Jack Buckley the opportunity to address the Council on the issue of Fire Alarms at Medford High School.

08-261 (cont.)

Addressing the Council

John Buckley, 19 Suffolk Rd

Amended by President Burke that the Supt. Of Schools report back to the Council per Mr. Buckley Report and invoice from Wayne Alarms on how he intends to fund the repairs and what account will the monies be coming from.

Amended by Councillor Camuso that the Supt. Of Schools Report back on much did it cost the School Department to have a Fire Detail to date at the High School

Amended by Councillor Camuso that the Fire Chief report back to the Council on is the High School up to state code.

Upon motion by Vice President Lungo-Koehn as amended-passed

08-262-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council offer its sincere condolences to the family of Anna Doherty on her passing. Anna is the sister and sister in law to Helen and Charles Hodgson, sister to the late State Representative Thomas Doherty and late Attorney Robert Doherty. Anna was a longtime Secretary in the Headmasters Office at Medford High School

Upon motion by Councillor Maiocco-passed

08-263-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Bernie Lynch, longtime City of Medford employee on his recent passing

Upon motion by Councillor Camuso-passed

Vice President Lungo motioned for suspension of the rules to take reports of committee concerning Retirees COLA Increase and Paper on Theatre of Combat and report them out-passed

08-053

**Committee of the Whole
Meeting Report
March 25, 2008**

Attendees: President Burke, Vice President Lungo-Kehn, Councillor Camuso, Councillor Dello Russo, Councillor Maiocco, Councillor Marks, Councillor Penta, Richard Lee, Ralph Jordan, Joe Rosa, Mrs. Hartnett, Harold McGilvary Jr., Mike DeClemente,

The purpose of the meeting was to discuss and review a Home Petition to address deployment of City personnel in act of the Theatre of Combat

Recommendations:

1. That Richard Lee, prepare a report on what it cost the City financially retroactive and going forward based on the last 3 individuals on what the City current does, what it cost based on Mass General Laws and comparison if it adopted the same as Cambridge
2. That Mayor seek out funding from Tufts University to fund the program
3. That Mayor provide the Council on what is the current policy that is in place

Upon motion by Councillor Maiocco that the report be adopted-adopted

08-264-

Committee of the Whole
Meeting Report
March 25, 2008

Attendees: President Burke, Vice President Lungo-Kehn, Councillor Camuso, Councillor Dello Russo, Councillor Maiocco, Councillor Marks, Councillor Penta, Richard Lee, Ralph Jordan, , Hartnett, Harold., Mike DeClemente, Ann Baker, Tina Rapatano, Tom Cangiano

The purpose of the meeting was to discuss and review the acceptance by the Council of the COLA increase of 3% to all retirees.

Recommendations

1. That the act pertaining to the increase of 3% COLA be accepted

Upon motion by Councillor Maiocco that the committee report be adopted-adopted

08-265-Offered by Councillor Marks

Be It Resolved that the Mayor have the Holiday Lights removed from the Main Streets throughout the City

Upon motion by Councillor Marks-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Eleventh Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The records of the meeting of March 25, 2008 were passed to Councillor Camuso

Those present and seated inside the rail were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Rob Barry, Reporter

Televised by Channel 16-Government Access

HEARINGS

08-268

**SHOW CAUSE
HEARING
NOTICE**

The Medford City Council will conduct a Show Cause Hearing Tuesday, April 1, 2008 at 7:00 P.M. in the Howard F. Alden Memorial Chambers, Medford City Hall relative to violations to the Common Victuallers' License operating beyond the allowed extended hours of operation in accordance with Medford Zoning Ordinances and Special Permit Petition 92-004 for Domino's Pizza. 199C Mystic Avenue, Medford, Massachusetts 02155, operated by Henry Askew, PMLRA Pizza Inc., 384 Edgell Rd., Framingham Massachusetts.01701

Henry Askew or Representatives of Domino's Pizza/PMLRA Pizza Inc. is requested to appear before the Medford City Council as well as any interested abutter to this operation.

Telephone 781-393-2501 for any accommodations/aids. T.D.D. 781-393-2516. The City of Medford is an EEO/AA/504 Employer. For further information contact the City Clerk's Office 781-393-2425.

By Order of the Medford City Council

S/Edward P. Finn, City Clerk

Addressing the City Council
Mark Rumley-City Solicitor
Leo Sacco, Chief of Police
Henry Askew, Domino's Pizza/PLMR Pizza, Inc

Council President Burke read letters from the Code Enforcement Officer and Chief of Police

Upon motion by Councillor Penta that the operation be subject to a 6 month review-passed
At this time Council President Burke read a note from the Chief of Police regarding Sgt. William Murray and his Family.

08-272-Petition from Police Chief Leo Sacco to have the following read into the records
Congrats to Detective Sgt. William Murray and his family.

He retired yesterday March 31, 2008 after serving over 40 years in the Medford Police Department.

He turned in approximately 600 days of sick leave at the end of his career.

He served as the Officer in charge of all evidence, crime scene photography and fingerprints, as well as gun permits.

His service to the department and community will be missed.

Upon motion by President Burke that congratulations be in order and to forward Sgt. Murray a Council Commendation.-passed

MOTIONS, ORDERS AND RESOLUTIONS

08-266-Offered by Councillor Camuso

Be It Resolved that the Medford DPW Parks Department conducts a safety audit at the tot lots and playgrounds throughout the City to make sure they are ready for the upcoming season.

Amended by Council Camuso that Supervisor Joe Nowak forward a written report to the Council

Upon motion by Councillor Camuso as amended-passed

COMMUNICATIONS FROM THE MAYOR

08-267

March 28, 2008

To the Honorable President
and Members of the Medford City Council

City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve of the following transfer of funds:

<u>From</u>	<u>Amount</u>	<u>To</u>
010-914-5740 Liability Insurance	\$40,000	010-151-5761 Law Claims

This transfer is necessary to pay current and anticipated claims for the balance of the fiscal year. Funds are available due to savings on the liability insurance line item due to favorable bids finalized after the beginning of the current fiscal year.

Very truly yours,
Michael J. McGlynn, (Signature on file w/paper)
MAYOR

Addressing the Council-Mark Rumley, City Solicitor

Upon motion by Vice President Lungo-Koehn on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-273-Offered by Councillor Maiocco

Be It Resolved that The Medford City Council offer its warmest birthday wishes to Mrs. Adelaide Penta on the glorious occasion of her 90th Birthday. Adelaide is the mother of our colleague Councillor Robert Penta

Upon motion by Councillor Maiocco-passed

08-274-Offered by Councillor Maiocco

Be It Resolved that the Mayor be requested to furnish a report on the projected budget deficit for the municipal and school budget for FY 08.

Upon motion by Councillor Maiocco-passed

08-275-Offered by Councillor Marks

Be It Resolved that Medford Resident Mike Andre be commended for being named to the Northeast-10 Conference as "Weekly Baseball Honor Roll" Mike is a 2005 Medford High grad and former Greater Boston League All Star. Mike is a junior Third Baseman for Merrimack College and has opened the season with a .462 average.

Upon motion by Councillor Marks-passed

08-276-Offered by Councillor Marks

Be It Resolved that the tree at 59 Poole Street be removed in the interest of public safety.

Upon motion by Councillor Marks-passed

08-277-Offered by Councillor Camuso

Be It Resolved that the DPW repairs the potholes around the Winthrop Street rotary in the interest of public safety.

Upon motion by Councillor Camuso-passed

Councillor Maiocco motioned for suspension of the rules to take committee reports on private ways and signs out of committee-passed

08-243

**COMMITTEE OF THE WHOLE
MEETING REPORT
APRIL 1, 2008**

Attendees: Stephanie Muccini Burke, Chair, Vice President Lungo-Koehn, Councillor Marks, Dello Russo, Penta and Maiocco. Mark Rumley, City Solicitor

The purpose of the meeting is to discuss and review paper 08-243, pertaining to Ordinance on funding repairs to private ways.

Recommendations.

1. DPW Commissioner provide the Council with the listing and number of streets on private ways in the last 5 years that have been repaved
2. That on section 74-91 clause # 6 be deleted and forwarded to the City Solicitor to drafted into ordinance in its proper form.

Amended by Councillor Penta that the City Solicitor provide an explanation on what "Temporary" means as far as definition when it comes to the ordinance on private ways repairs.

Amended by Vice President Lungo-Koehn that the City Solicitor report back on the legal definition when determining a public way and also to provide the laws governing public way streets and its determination.

Upon motion by Councillor Maiocco as amended that the report be adopted-Adopted

08-060

Sub Committee on Business, Economic Development and Signs
Meeting Report
April 1, 2006

Attendees: Robert Penta Chair, Breanna Lungo-Koehn, Committee, Robert Maiocco, Committee, Michael Marks, Councillor, Frederick Dello Russo Jr., Councillor, Stephanie Muccini Burke, Council President, Brian Flynn, REMAX Realty

The purpose of the meeting was to review and discuss petition 08-060, reversal of sign denial on OCD Application 2008-02

Recommendations:

That the base of the sign must be 12-14 inches off the foundation and non illuminated.

Upon motion by Vice President Lungo-Koehn that the report be adopted-Adopted

08-278-Offered by President Burke

Be It Resolved that paper 08-039 be forwarded to Medford's State Delegation for their support on obtaining a person to work for the City of Medford for the Green Line Expansion

Upon motion y Councillor Dello Russo-passed

08-279-Offered by Councillor Penta

Be It Resolved that the Mayor report back as why the residents of Essex Street were not notify on the digging up of the street recently.

Upon motion by Councillor Penta-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008

Records:

The Records of the meeting of March 25, 2008 were passed to Councillor Camuso, Councillor Camuso reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:15 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

April 8, 2008

Medford City Council
The Twelfth Regular Meeting
Medford, Massachusetts
April 8, 2008

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twelfth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The records of the meeting of April 1, 2008 were passed to Councillor Dello Russo

Those present and seated inside the rail were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Rob Barry, Reporter

Televised by Channel 16-Government Access

Councillor Maiocco motioned for suspension of the rules to allow the Medford Firefighters Local Union petition to address the City Council on matters pertaining to staffing and Engine 3.-passed

08-284-Petition by Rick Jordan, President of the Medford Firefighters Local Union 1032 to address the City Council on behalf of the membership on concerns regarding the operating status of Engine 3 and manpower levels.

Addressing the Council-Rick Jordan, President Local 1032

Amended by Councillor Camuso that the Fire Chief provide the Council with a in depth detail statistical report of every call within the Engine 3 area.

Amended by Councillor Camuso that the Mayor hire the appropriate manpower level in accordance with the budget.

Amended by Vice President Lungo-Koehn that the Mayor have Engine 3 reopened for continuous service.

Amended by Councillor Dello Russo that the Mayor report back on what it would take in manpower to keep Engine 3 in perpetuity.

Amended by Councillor Dello Russo that the Mayor report back on what it would cost the City to keep Engine 3 in continuous use as far as new hires

Upon motion by Councillor Camuso as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Maiocco motioned to revert back to regular order of business-passed

HEARINGS

08-253

CITY OF MEDFORD NOTICE OF A PUBLIC HEARING

A Public Hearing will be held in the HOWARD F. ALDEN MEMORIAL CHAMBERS, CITY HALL, MEDFORD, MASSACHUSETTS, on Tuesday Evening, April 8, 2008, at 7:00 P.M., on a petition of Dennis M. Caprigno Jr., d/b/a/ Lou's Custom Exhaust to operate an Automotive Repair Shop at 44 Union Street, Medford, Massachusetts.

Petitions and plans may be seen in the Office of the City Clerk, Room 103, City Hall, Medford, Massachusetts.

Call 393-2501 for any accommodations/aids. T.D.D. 393-2516.

The City of Medford is an EEO/AA/504 Employer.

By Order of the City Council.

S/ Edward P. Finn
City Clerk

Those in Favor-Attorney David Skerry, 40 Daniels St. Medford
Those in Opposition-None
This portion of the is closed

Addressing the Council
Attorney David Skerry
Dennis Caprigno, Petitioner

Upon motion by Councillor Marks-Granted

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-283-Offered by Councillor Dello Russo

Be It Resolved that the Animal Control Officer apprehends the pack of Coyotes residing in the area of Myrtle Street and relocate them to an environment more suitable to their natural requirements.

Upon motion by Councillor Dello Russo-passed

08-282-Offered by Councillor Maiocco

Be It Resolved that with the closing of Shore Pharmacy in west Medford Square after serving the citizens of Medford for over 30 years, owner Bob Pasquariello be sent a note of appreciation from the City Council.

Upon motion by Councillor Maiocco-passed

08-280-Offered by Councillor Camuso, Councillor Maiocco and President Burke

Be It Resolved that the Medford City Council offers its sincere condolences to the family of John Baronian "Mr. Tufts" on his recent passing.

Upon motion by Councillor Maiocco-passed

08-281-Offered by Councillor Camuso and President Burke

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Vincent Arcieri who recently passed away.

Upon motion by Councillor Camuso-passed

At this time John Storella, 22 Metcalf St addressed the Council on eliminating the 2 month water billing.

08-285-Offered by Councillor Penta

Be It Resolved that the City Engineer provide the Council with the last report regarding Algonquin Gas Company that took place at Allston St area.

Amended by Councillor Penta that Algonquin Gas Company appears before the Medford City Council in regards to their upcoming project.

Upon motion by Councillor Penta as amended-passed

08-286-Offered by Councillor Maiocco

07-072-Intercept Program

07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008

08-268-Six Month Review of Show Cause Hearing Domino's Pizza Sept. 16, 2008

Records:

The Records of the meeting of April 1, 2008 were passed to Councillor Dello Russo, Councillor Dello Russo reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Dello Russo motioned that meeting be adjourned at 8:23 P.M.

A true copy

Attest

Edward P. Finn
City Clerk

April 15, 2008

Medford City Council
The Thirteenth Regular Meeting
Medford, Massachusetts
April 15, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Thirteenth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 Absent (Camuso)

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of April 8, 2008 were passed to Vice President Lungo-Koehn

HEARINGS

08-254

**CITY OF MEDFORD
NOTICE OF PUBLIC HEARING**

A Public Hearing will be held by the Medford City Council in the Howard F. Alden Memorial Chambers, City Hall, Medford, Massachusetts on Tuesday Evening, April 15, 2008 at 7:00 P.M. on a petition of Fred and Sara Lin of Panda Palace., for a Special Permit Use to be granted under Chapter 94, Zoning Ordinances of the City of Medford, sections 94-148 (d) Table of Use Regulations, section 56B Keno at 442 Salem Street, Medford, MA. a C-1 (Commercial 1) District.

Petition and plans may be seen in the Office of the City Clerk, City Hall, Medford, MA. 781-393-2425

Call 781-393-2501 for any aids/accommodations. T.D.D.781-393-2516.

The City of Medford is an EEO/AA/504 Employer.

By order of the City Council.

S/Edward P. Finn
City Clerk

Advertised Medford Daily Mercury March 28 and April 7, 2008

In Favor-Sara Lin, Winchester, Fred Lin, Winchester

In Opposition-None

This portion of the hearing closed

Upon motion by Councillor Maiocco on a roll call vote of 4 in the affirmative, 2 in the negative (Burke, Penta) and 1 absent (Camuso)-Granted

MOTIONS, ODERS AND RESOLUTIONS

08-293-Offered by Councillor Marks

Be It Resolved that the Traffic Commission creates a four way stop at the corner of Wicklow Ave and Malden St in the interest of public safety.

Upon motion by Councillor Marks-passed

08-294-Offered by Councillor Maiocco

Be It Resolved that our US Senators Kerry, Kennedy and Congressman Markey be requested to take the appropriate legislative action to increase the percentage Human Service section of Community Development Block Grant money currently at 15% be increased to 50% to address the alarming rate of increase of the poor and disadvantaged in Medford

Upon motion by Councillor Maiocco-passed

Vice President Lungo-Koehn motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-316-Offered by Vice President Lungo-Koehn

Be It Resolved that John Bavuso, Medford's Code Enforcement Officer look into the interior lit sign inside First Dental on 406 Salem Street.

Upon motion by Vice President Lungo-Koehn-passed

08-317-Offered by Councillor Marks

Be It Resolved that the illegal signs 1-800-Got Junk posted at the intersection of Fulton Street and Ames Street and corner of Fulton St., and Brogan Rd. and Spring St. and Emerald St. be removed and the owner be fined by our code enforcement officer.

Upon motion by Councillor Marks-passed

08-318-Offered by President Burke

Be It Resolved that the Mayor have the Saving Lives Director and or Chief of Police place "Slow Children" signs at all crosswalks in front of schools and parks in the City.

Upon motion by Councillor Maiocco-passed

08-319-Offered by Councillor Maiocco

Be It Resolved that the Assessor report back to Council per his recent response to the Cell Tower at 16-20 Harvard, by the Dunkin Donuts in West Medford the assessed value for the cell tower

Amended by Councillor Penta that the Assessor report back to the Council if the Cell Tower at the Religious institution across from Raso's Restaurant is being assessed and when did it get assessed and what the amount it is being assessed for.

Records:

The Records of the meeting of April 8, 2008 were passed to Vice President Lungo-Koehn, Vice President Lungo-Koehn reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 7:40 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

April 29, 2008

Medford City Council
The Fourteenth Regular Meeting
Medford, Massachusetts
April 29, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Fourteenth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of April 15, 2008 were passed to Councillor Maiocco

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-330 out of order-passed

08-330-Offered by Vice President Lungo-Koehn
Be it resolved that Granville Ave be discussed.

Addressing the Council-Steve Marchand 5 Granville Ave.

Amended by Vice President Lungo-Koehn that the Mayor has the appropriate department remove the cement block that has the hole in it that is being filled with trash and replace it with a solid stone

Amended by Vice President Lungo-Koehn that Mayor has the appropriate department remove the tree/weeds and repair the fence

Amended by Vice President Lungo-Koehn that the Mayor has the appropriate department repair the asphalt

Amended by Vice President Lungo-Koehn that the Mayor has the appropriate department repair the dangerous drop on the opposite side of the street's storm drain

Upon motion as amended by Vice President Lungo-Koehn-passed

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

HEARINGS

08-326

Notice of Public Hearing
City of Medford
YR 34 Community Development
Block Grant Application
July 1, 2008-June 30, 2009

The Medford City Council will holding a public hearing on Tuesday, April 29, 2008 at 7:00 P.M., in the Howard F. Alden Memorial Auditorium, City Hall, Medford Massachusetts for the general public and representatives of public service agencies

attend to express comments regarding the City's Consolidated Action Plan for Community Development and planning. The Action Plan contains the proposed use of Community Development Block Grant Funds for Year 34 which extend from July 1, 2008 through June 30, 2009.

The Office of Community Development will be requesting that the Medford City Council authorize Mayor Michael J. McGlynn, official representative of the City of Medford, to submit the Consolidated Action Plan, application for funds and all other assurances and certifications to the U.S. Department of Housing and Urban Development.

Additional information and review of the Draft Action Plan can be obtained at the Office of Community Development, City Hall, Room 308, Medford, during regular business hours on April 14, 2008 for Public Review and Comments. Comments may be sent in writing by May 14, 2008 to this Office. The Final Action Plan and Application will be submitted to HUD on May 16, 2008.

By Order of the Medford City Council

S/Edward P. Finn
City Clerk

Those in Favor-Lauren DiLorenzo, Director of Community Development
-Kelly Cataldo, Community Housing

Those in Opposition-None

This portion of the hearing closed

Addressing the Council-Lauren Dilorenzo, Director Community Development

Upon motion by Councillor Maiocco on a roll call vote of 7 in the affirmative and 0 in the negative-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-327-Petition by Hector Martinez, 106 Chelsea St. Apt 2B, East Boston, d/b/a Delicious Nuts at 53 Revere Beach Parkway, Medford for a Common Victualler's License

On File
Application/Petition
Business Certificate #88
Building Dept.
Fire Dept.
Traffic Impact
Health Dept.
Treasurer
State Tax Forms

Request for Letter of Compliance

Upon motion by Councillor Marks-Granted

08-328-Petition by Dennis J. O'Brien, 258 Park St., Medford for a Taxi-Operators License

CORI-On File/Police

Upon motion by Councillor Marks-Granted

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS(Cont)

08-329-Petition by Paul Williamson, 638 Mystic Ave., Somerville for a Taxi-Operators License

CORI-On File/Police

Upon motion by Councillor Marks-Granted

08-331-Petition by John O'Flaherty, 21 A John St., Chelsea for a Taxi-Operators License

CORI-On File/Police

Upon motion by Councillor Marks-Granted

08-332-Petition by John Francioso, 153 Spring St., Medford for Taxi-Operators License

CORI-On File/Police

Upon motion by Councillor Marks-Granted

MOTIONS, ODERS AND RESOLUTIONS

08-334-Offered by Councillor Dello Russo

Be It Resolved that the Regan Checcio Executive Office of Transportation and Public Works and the Green Line Extension Project Team be invited to discuss the Green Line at an upcoming City Council Meeting

Addressing the Council

Dr. William Wood, 25 Buzzell Rd

Carolyn Rosen, 25 Buzzell Rd
Lauren DiLorenzo, Director OCD
Andrew Castagnetta, Cushing St

Upon motion by Councillor Dello Russo-passed

COMMUNICATIONS FROM THE MAYOR

08-333

April 24, 2008

To: President Stephanie Muccini Burke and the
Members of the Medford City Council

From: Mayor Michael J. McGlynn

Re: HUD Section 108 Loan for River's Edge Project

Dear Madam President and Members of the Medford City Council:

I respectfully request and recommend that your Honorable Body approve the attached Vote authorizing me, on behalf of the City of Medford, to apply for a \$1,000,000 loan pursuant to Section 108 Loan Guarantee Program of the U.S. Department of Housing and Urban Development. The proceeds of said loan are to be used to finance renovations and improvements to the Rivers Edge Project of the Mystic Valley Development Commission.

Respectfully Submitted,
Signature on file w/paper
Mayor Michael J. McGlynn

08-333(Cont)

CITY OF MEDFORD

Vote of the Medford City Council

April 29, 2008

WHEREAS, the City of Medford (the "City") has applied for a \$1,000,000 loan pursuant to the Section 108 Loan Guarantee Program of the U.S. Department of Housing and Urban Development; and

WHEREAS, the proceeds of said loan are to be used to finance renovations and improvements to the Rivers Edge Project of the Mystic Valley Development Commission as described in said application; and

WHEREAS, the City has been awarded said loan for said purposes,

NOW THEREFORE, it is voted that:

The Mayor of the City is hereby authorized on behalf of the City to execute and deliver a Contract for Loan Guarantee Assistance between the City and the U.S. Secretary of Housing and Urban Development with respect to a \$1,000,000 loan to the City pursuant to the Section 108 Loan Guarantee Program of the U.S. Department of Housing and Urban Development, and one or more promissory notes evidencing the City's general obligation to repay said loan, secured by the full faith and credit and general taxing power of the City, which documents shall be substantially in the form presented to this meeting, which are hereby approved with such changes as may be approved by the signing officer, his execution thereof to conclusively identify the same as the documents (with approved changes, if any) authorized by this vote.

The Mayor of the City is hereby authorized on behalf of the City to execute and deliver a Loan Agreement among the City, the Mystic Valley Development Commission (the "Borrower") and others, with respect to a \$1,000,000 loan from the City to the Borrower, which document shall be substantially in the form presented to this meeting, which is hereby approved with such changes as may be approved by the signing officer, his execution thereof to conclusively identify the same as the document (with approved changes, if any) authorized by this vote. The Mayor, the City Clerk, and other City officials be and each of them is hereby authorized on behalf of the City to execute and deliver one or more promissory notes, security agreements, custodial agreements, certificates, instruments, contracts, and any and all other documents and to take such other action as may be necessary or appropriate to effectuate the transactions contemplated by this vote. The actions of the Mayor and other City officials in applying for and obtaining the aforesaid loan, and all documents heretofore executed and delivered in respect thereto are hereby confirmed, approved and ratified in all respects as the actions of the City. It is the understanding of the Mayor of the City of Medford and the members of the Medford City Council that three (3) Section 108 applications are being submitted to the Department of Housing and Urban Development (HUD) by the Mystic Valley Development Commission (MVDC) on behalf of the cities of Medford, Malden and Everett in order to complete the Phase 1 financing plan for the Rivers Edge Project. Each city, in their respective applications, is applying for \$1,000,000.00 under repayment terms and conditions that are similar to each other.

It is the further understanding of the Mayor of the City of Medford and the members of the Medford City Council that a \$1,200,000.00 Brownfields Economic Development Initiative (BEDI) grant from HUD will be used to pay debt service on the Section 108 loans for the first 8 (eight) years.

Addressing the Council
Mark Rumley, City Solicitor
Lauren DiLorenzo, Director OCD
Steve Wishoski, Director OCD, Malden, Mystic Valley Development Commission
Deb ?, Project Director MVDC

Amended by Councillor Camuso that the following language submitted by the City Solicitor be inserted into loan for after" first 8 years":
The repayment of principle and interest on the Section 108 Loan after the first eight years will be provided by the City's share of PILOT payment income of the River's Edge project by the Master Developer, which payments are pledged as collateral security for the MVDC loan

Upon motion by Councillor Camuso as amended on a roll call vote of 6 in the affirmative and 1 in the negative (Lungo-Koehn)-passed

COMMITTEE REPORTS

08-247-Committee of the Whole Meeting Report regarding Traffic Study in and around Mystic Ave, Alexander and Bonner pertaining to the Opening of the proposed Dunkin Donuts

COMMITTEE OF THE WHOLE MEETING REPORT April 15, 2008

08-247

Attendees: President Burke, Vice President Lungo, Councillors Maiocco, Marks, Penta, Dello Russo and Camuso, Phyllis Notaro, Mary Briley, Carol Resendes, Chief Leo Sacco, Nick Leo

The purpose of the meeting was to review and discuss parameters surrounding the South Medford Traffic Study in and around the proposed Dunkin Donuts and Mystic Ave.

Recommendations:

1. Traffic Study should start in October
2. Traffic Study should include streets highlighted by Design Consultants Inc, submitted by Nick Leo including Hicks, Golden Ave and Billings
3. City Look into doing a RFP
4. City would make the final selection of Traffic Study Consultant
5. A study should be looked into on the traffic island being extended and the impact on traffic at Harvard, Mystic Valley Parkway and Mystic Ave and how it interacts and what recommendations should be made

6. Rep. Sciortino report back on plans from Mass Highway on extending the Traffic Island on Mystic Ave
7. Report back by the Director of Office Community Development regarding the new lights at Harvard and Willis on how it is going to be funded and is it eligible for any federal funds.

On motion by Councillor Maiocco that the committee report be adopted and reported out of committee.

Upon motion by Councillor Maiocco that Committee report be adopted-Adopted

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-339-Offered by Councillor Camuso

Be It Resolved that the recent Massachusetts Supreme Judicial Courts decision against Bell Telephone AKA Verizon be discussed.

Upon motion by Councillor Camuso that the paper be received and placed on file-passed

08-Offered by Councillor Camuso

Be It Resolved that the DPW Street Sweeping be discussed.

Amended by Vice President Lungo-Koehn that the Public Works department provide the residents of those streets to be swept at least 24 hour notice.

Upon motion by Councillor Camuso as amended-passed

08-Offered by President Burke, Vice President Lungo-Koehn, Councillors Dello Russo, Marks, Maiocco, Camuso and Penta

Be It Resolved that the Medford City Council offers its condolences to the family of Maurice Lee, father of City of Medford Employees Richard Lee, Administrative Aide to the Mayor, Police Sgt. Jim Lee and retired Police Sgt. Ed Lee on his recent passing.

Upon motion by Councillor Dello Russo-passed

08-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council wish Medford's Asst. Director of Special Education, Nancy Denise White a Happy and Healthy Birthday.

Upon motion by Councillor Maiocco-passed

08-Offered by Councillor Camuso

Be It Resolved that we wish our friend and colleague Bob Penta a Happy and Healthy Birthday.

Upon motion by Councillor Camuso-passed (Penta-Absent)

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

Public Participation

COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008
08-268-Six Month Review of Show Cause Hearing Domino's Pizza Sept. 16, 2008

Records:

The Records of the meeting of April 15, 2008 were passed to Councillor Maiocco, Councillor Maiocco reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 9:26 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

May 6, 2008

Medford City Council
The Fifteenth Regular Meeting
Medford, Massachusetts
May 6, 2008

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Fifteenth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of April 29, 2008 were passed to Councillor Marks

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-362- Presentation from Representatives from Algonquin Gas Company concerning new pipeline adjacent to Mystic Valley Parkway to McGrath Highway

Addressing the Council-John Bonsall, Bill Simons and Representatives from Algonquin Gas (Slide Presentation)

Andrew Castagnetti, Cushing St
Mary Briley, Alexander Ave.

Amended by Councillor Marks that a letter be issued to Mass Highway indicating that Algonquin Gas have Mystic Ave repaved in its entirety.

Amended by Councillor Penta that the City Solicitor enter in Mitigation negotiation on behalf of the City

Upon motion by Councillor Marks on a roll call vote of 7 in the affirmative 0 in the negative as

amended-passed

08-363-Petition by Preeti Inc. 138 Sharon Street, d/b/a Kabab Corner at 4110 Mystic Valley Parkway, Medford for a Common Victuallers License.

On File
Petition/Application
Business Certificate #80
Building Dept.
Fire Dept.
Traffic Dept.
Health Dept.
Treasurer
State Tax Form
Corporation Papers
Letter of Compliance Request

Addressing the Council –Attorney William Goldberg, Mass Ave, Cambridge

Upon motion by Councillor Marks-Granted

MOTIONS, ODERS AND RESOLUTIONS

08-364-Offered by President Burke

Be It Resolved that the Medford City Council sends its condolences to the family of Francis Amico, longtime Medford Resident, wife of the late Michael Amico, mother to late Michael and Elaine Amico, grandmother of John Byers, Phyllis, Michelle, Michael Jr. and great-grandmother to Phyllis, David, Caitlin and Jennifer

Upon motion by Councillor Maiocco-passed

08-366-Offered by Councillor Maiocco

Be It Resolved that the Mayor be requested to take the appropriate legal or legislative action necessary to prevent the taking of any taxpayer private -residential property in Medford with the expansion of the Green Line into Medford

Addressing the Council
Dr. William Woods, 25 Buzzell Rd
Carolyn Rosen, 25 Buzzell Rd
Andrew Castagnetti, Cushing ST.
Mary Briley, Alexander Ave
Ken Krause
Marion Ciccio, 2 North St
Gwen Blackburn, Arlington St.
Ms. Kelly, 138 Brookings TS

The Records of the meeting of April 29, 2008 were passed to Councillor Marks, Councillor Marks reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 9:40 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

May 13, 2008

Medford City Council
The Sixteenth Regular Meeting
Medford, Massachusetts
May 13, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Sixteenth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL
7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of May 6, 2008 were passed to Councillor Penta

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-365- Petition by Whole Foods, 2151 Mystic Valley Parkway for a Common Victuallers License

On File
Petition/Application
Business Certificate #99
Building Dept.
Fire Dept.
Traffic Dept.
Health Dept.
Treasurer
State Tax Form
Corporation Papers
Letter of Compliance Request
Copy of Occupancy Permit

Addressing the Council-Dan Siemens, Project Manager and Dan McGuiness, Manager

Upon motion by Councillor Marks-Granted

08-383-Offered by Councillor Maiocco

Whereas the sign by the new Whole Foods Market on the traffic pole that is about 10 yards down with a circle with "No Left Turn" on it that is small and hard to see and since Auburn Street is a City of Medford Street

Be It Resolved that the Mayor has the appropriate department or state agency install a larger sign on the traffic signal pole that is visible at the corner of Auburn St., and Mystic Valley Parkway.

Upon motion by Councillor Maiocco-passed

Councillor Maiocco motioned for suspension of the rules to take paper 08-382 out of order-passed

08-382-Offered by Councillor Marks

Whereas with fuel prices approaching \$4.00 dollars a gallon and the need to conserve is more important because of local aid cuts

Be it resolved the Mayor report back to the Medford City Council the policy on the use of take home vehicles and further be it resolved the Mayor provide a listing to include employee name, position, reason for taking vehicle home, approximate mileage and yearly total fuel cost in the interest of lowering fuel cost.

Amended by Councillor Camuso that the Police Chief when preparing this document to take precaution when distributing this document for the protection of the public safety officials personal information

Amended by Councillor Camuso that the Mayor have all vehicles clearly marked by title in accordance with the ordinances of the City of Medford.

Upon motion by Councillor Marks as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-384-Offered by Councillor Penta

Be It Resolved that the Mass Highway forward to the City a listing of all repairs in the City of Medford for bridges, roadways and sidewalks and well as ranking with Mass Highway in the order they will be addressed in comparison with other cities and towns repairs.

Be further resolved that Mass Highway moved Medford's repairs of bridges and roadways as a priority for the upcoming year.

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Penta motioned to revert back to regular order of business-passed

08-334-Presentation by EOT, Green Line Extension Project Team to discuss proposed Green Line Extension in Medford

Addressing the Council-Steve Wolford, Project Manage, Mike McConnel

And...Christing Bennett, 19 Martin St., Robert Payne, Orchard St., Tom Lincoln, Gleason St., Dean Jacobs, Capen St., Brian Christianson, 28 Orchard St., Al Peterson, 7 Fairfield St., Mark Gurton, 101 Wyman St., Christine Batholett, Tyler Ave., Andy Griswald, Doug Carr 124 Boston Ave., Judy Kaplan, Boston Ave., Patricia Kelley, Monument Ave., Dean Chou, Melissa, 17 Monument Ave., Justine Khan, Orchard St., Laurel Solano, Forest St., Margaret, 82 Mystic St., Roma, 129 Burget Ave., M. Barry, 108 Brookings St., Lisa Hodson, 11 Lyman Ave., Ken Krause, 50 Mystic St., Karen, Marion st., Helen Brad 11 Harris Rd., Carolyn Rosen, 25 Bussell Rd., Russell, Greenleaf Ave., David, 149 George St., Brian Sylvan, Donna, Vinny Talbert, Barbara Rubel, Tufts University, Andrew Castagnetti, Cushing St., Michael, William Wood, 25 Bussell Rd., Tim Kiley, David Hanes, Canal St., Paul Russo 22 Orchard St., Stephen, 54 Ravine Rd., McNeeley, 26 Whitney Rd., Rita Donnelly, Charnwood Rd., Rita, 124 Brookings St.

Amended by Councillor Maiocco that the EOT make future meeting with the public at a time frame closer to 7:00 P.M.

Amended by Councillor Maiocco that the EOT appear before the Council again with a firm plan and virtual tour is ready

Amended by Vice President Lungo-Koehn that the EOT keep the Council informed on any mitigation negotiations.

Upon motion by Councillor Maiocco as amended-passed

The Records of the meeting of May 6, 2008 were passed to Councillor Penta, Councillor Penta reviewed the records and found them to be order and be approved-passed

Adjournment:

Councillor Penta motioned that meeting be adjourned at 10:00 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

May 20, 2008

Medford City Council
The Seventeenth Regular Meeting
Medford, Massachusetts
May 20, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Seventeenth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL
6 Members Present
1 Absent (Lungo-Koehn)

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of May 13, 2008 were passed to Councillor Camuso.

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-385-Petition by Joseph Viglione, 59 Garfield Ave., Medford to address the City Council regarding the City assigning money to defend the lawsuit filed by Medford Community Cablevision Inc.

Upon motion by Councillor Dello Russo-Received and Placed on File.

08-387-Petition by Steven LeBlanc, 21 West Emerson St., Melrose for a Taxi-Operators License

CORI-On File w/Police

Upon motion by Councillor Marks-Granted.

MOTIONS, ORDERS AND RESOLUTIONS

08-386-Offered by Councillor Marks

Whereas now that many states have adopted anti-telemarketing call list and
Whereas some companies are switching from phone sales pitches to door to door solicitations and

Whereas a potential concern for fraud and home invasions exist especially with elderly residents than

Be it resolved that City Solicitor Mark Rumley draft an ordinance to amend section 14-251 to 14-390 entitled door to door salesperson, hawkers and

08-386 Cont.

peddlers to include a no knock provision to keep pesky high pressure salespeople off doorsteps.

Upon motion by Councillor Marks on a Roll Call vote of 6 in the Affirmative and 1 Absent (Lungo-Koehn) – Passed -Referred to City Solicitor to Draft.

08-388-Offered by Vice President Lungo-Koehn

Be it resolved that the MBTA include Wellington Station and the Commuter Rail in West Medford when putting in roughly 1,000 new bike racks at there station locations.

Be it further resolved that the council also ask Rite Aid if they would be willing to help out the city and environment by installing bike racks in their parking lot.

Upon motion by Councillor Maiocco-Approved

08-413- Offered by Medford City Councillor Maiocco

Be It Resolved that the Medford City Council on behalf of the City of Medford Wish Senator Ted Kennedy a full and speedy recovery from his recent illness.

Upon motion by Councillor Maiocco-Passed

08-414- Offered by City Council

Be It Resolved that our Best Wishes for a speedy recovery be sent to Mrs. Chieko Finn.

Upon motion by City Council-Passed

COMMUNICATIONS FROM THE MAYOR

08-391

May 15, 2008

To President Stephanie Muccini Burke and
Members of the City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve the following Loan Order:

LOAN ORDER

Be it ordered: That the sum of \$600,000.00 [Six hundred thousand dollars and zero cents] be and hereby is appropriated to pay for costs of acquiring and installing a wind turbine for the generation of electrical power at the McGlynn- Andrews School Complex, and for the payment of all costs incidental and related thereto, and that to raise this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum and to issue bonds or notes of the City therefor in the aggregate principal amount of \$600,000.00 [Six hundred thousand dollars and zero cents] under and pursuant to Chapter 44, Section 7(3B), of the Massachusetts General Laws, as amended and supplemented, or pursuant to any other enabling authority.

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:mer

08-391 Cont.

Upon motion by Councillor Maiocco-Refer paper to Committee of the Whole Budget Hearing.

Councillor Camuso supports project as is.

08-366- Legislative action to prevent the taking of any taxpayer private residential property in Medford with the expansion of the Green Line into Medford

IN COUNCIL

MAY 6, 2009

TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008
08-268-Six Month Review of Show Cause Hearing Domino's Pizza Sept. 16, 2008

Records:

The Records of the meeting of May 13, 2008 were passed to Councillor Camuso. Councillor Camuso reviewed the records and found them to be in order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 9:45 P.M.

A true copy
Attest

Dorothy Donehey
Asst. City Clerk

June 3, 2008

Medford City Council
The Nineteenth Regular Meeting
Medford, Massachusetts
June 3, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso

Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Nineteenth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 Member Absent (Camuso)

SALUTE TO THE FLAG

RECORDS

The Tabled Records of the Meeting of May 20, 2008 were passed to Councillor Dello Russo.

The Records of the Meeting of May 27, 2008 were passed to Vice President Lungo-Koehn.

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

MOTIONS, ORDERS AND RESOLUTIONS

08-421-Offered by President Burke

Whereas, it was announced that the City of Medford High School project has been awarded reimbursement from the School Building Assistance Fund, Be It Resolved, that the Supt. of Schools furnish the council with the estimated reimbursement for the projects underway as compared with the funding that the City Council approved.

Addressing the Council-Roy E. Belson, Supt. of Schools

Upon motion by Vice President Lungo-passed

08-423-Offered by Councillor Penta

Be It Resolved that the City of Medford go on record as being opposed to the at present Charter School formula that has now disclosed unjustified "perks" and an ongoing financial burden to the taxpayer of Medford without their consent.

Be It Further Resolved that the resolution be sent to the Mass Municipal Association and to Medford's State Delegation for their support and to identify all member cities/towns to actively support Bill S-282 and to also express that the at present Charter School formula 1) unacceptable and inequitable to all taxpayers

Upon motion by Councillor Penta on a roll call vote of 6 in the affirmative and 1 absent (Camuso)-passed

COMMUNICATIONS FROM THE MAYOR

08-422

May 29, 2008

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body appropriate the following sums from the Sale of Real Estate Account. I am making available a total of One Million, Twenty Thousand Dollars (\$1,020,000.00), from the sale of the Kennedy Lincoln complex to reduce various deficits in the Fiscal 2008 budget as follows:

From	Amount	To
Sale of Real Estate	\$212,000.00	010-300-5230-0400-4130-041 School Fuel Settlement
Sale of Real Estate	\$117,000.00	010-300-5290-0400-4200-041 Repair Alarm System/MHS
Sale of Real Estate	\$ 39,000.00	010-300-5130-03004500-041 Firefighter Details/MHS
Sale of Real Estate	\$ 76,000.00	010-210-5850 Police Cruiser Lease/Purchase
Sale of Real Estate	\$ 62,000.00	010-220-5850 Fire Pumper Lease/Purchase
Sale of Real Estate Utilities	\$514,000.00	Operation of School Plant –
TOTAL	\$1,020,000.00	

Other deficits exist and are being calculated. The means to reduce or eliminate such deficits to the extent possible are being formulated. Any appropriate action will be submitted to your Honorable Body in the very near future.

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

Addressing the City Council-Roy E. Belson, Supt. Of Schools

Amended by Councillor Maiocco that the Mayor explore the use of the Overlay Reserves Account to eliminate the deficit for Snow and Ice Account

Amended by Councillor Maiocco that Richard Lee report back to the Council on what is happening with the Health Care contract in relation to the employees and individual union negotiations.

Amended by Councillor Dello Russo that Anne Baker, City Auditor be prepared in detail for the Committee of the Whole Meeting that will take place next week to address this paper and deficits with supporting information on Sale of Real Estate Account, deficits by line item, debts services. Future debt, wind turbine future savings and payouts, reserve accounts, projected free cash, projected revenues and current revenues, water and sewer accounts, leasing and health care.

Upon motion by Councillor Dello Russo to refer the paper as amended to committee of the whole-passed

Councillor Penta motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-424-Offered by Vice President Lungo-Koehn

Be It Resolved that the Council be updated on the status of the Medford Park League Program

Be It Further Resolved, that the Council meet with Mark Smith to discuss some different options as soon as possible

Upon motion by Vice President Lungo-Koehn - passed

08-425-Offered by President Burke

Be It Resolved that the Fire Chief investigates the continuous replaying of an old City Council meeting and the reasons weekly replay of the current meeting is not occurring.

Upon motion by Maiocco-passed

08-426-Offered by Councillor Marks

Be It Resolved that the Building Commissioner take action on the placement of Carnivals signs throughout the City.

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:30 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

June 10, 2008

Medford City Council
The Twentieth Regular Meeting
Medford, Massachusetts
June 10, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twentieth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL
7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of June 3, 2008 were passed to Councillor Marks

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

MOTIONS, ORDERS AND RESOLUTIONS

08-430-Offered by Councillor Marks

Be It Resolved that the chain link fence at the dead end of Sherman Court which is owned by the City be replaced in the interest of public safety

Upon motion by Councillor Marks-passed

08-429-Offered by Vice President Lungo-Koehn

Be it resolved that the Medford Park League Program be discussed.

Be it further resolved that the program be reinstated. We are at a place in time when some families cannot afford to send their children to any camp, no matter how much it costs, so the city should continue to provide this one resource to our children.

Addressing the Council

Ann Amirault, 57 Oak Ridge Rd

Amended by Councillor Penta that the Mayor appropriate \$11,000 back into the Parks Program for the upcoming budget and reinstate the Parks Program

Amended by Councillor Maiocco that the Mayor be requested to draw monies from the Carnival and insert to the Parks Program

Amended by Vice President Lungo-Koehn that the Mayor report back if Mark Smith's Salary will be proportionately reduced since there is no longer a parks program

Upon motion by Vice President Lungo-Koehn as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Marks motioned for suspension of the rules to take paper 08-249 and the Sub Committee on Licensing report on Second Hand Article License Ordinance Change out of order-passed

08-249

SUB COMMITTEE ON LICENSING MEETING REPORT JUNE 3, 2008

ATTENDEES: Michael Marks, Chair, Robert Penta, Committee, Frederick Dello Russo, Council, Ken Krause, Owners of Two Sisters, Roland Racciot, Chief Sacco, Sgt. Femino,

The purpose of the meeting was to review and discuss changes to the ordinance pertaining to second hand article licenses

Recommendations:

Councillor Penta: that the following ordinance draft submitted by the City Solicitor be adopted for change to the City of Medford's Ordinances

Be it ordained, that the following amendments and changes be made to ARTICLE IV of the Revised Ordinances of the City of Medford entitled "Junk Dealers and Junk Collectors":

1. That Article IV of the Revised Ordinances of the City of Medford presently entitled "Junk Dealers and Junk Collectors" shall be renamed and now entitled "Secondhand Dealers and Secondhand Collectors" and all references in said Article IV to the term "Junk Dealers" is hereby amended to "Secondhand Dealer" and all references to the term "Junk Collectors" is hereby amended to "Secondhand Collectors".
2. That the following language be added to the definition of "Junk Collector" as the same is set forth in Sec. 14-131 of the Revised Ordinances of the City of Medford:

As used in this Ordinance the term "secondhand collector" shall have the same meaning as the term "junk collector" as the same is defined in G.L. c. 140 § 56.

3. That the following language be added to the definition of "Junk Dealer" as the same is set forth in Sec. 14-131 of the Revised Ordinances of the City of Medford

The term is not meant to include the activity of any federal, state or local government or governmental subdivision or agency, or of any church or religious organization exempt from taxation under section 501 (c)(3) of the Internal Revenue Code. As used in this Ordinance the term "secondhand dealer" shall have the same meaning as the term "junk dealer" as the same is defined in G.L. c. 140.

4. That the following definitions shall be added to the definitional section which is set forth in Sec. 14-131 of the Revised Ordinances of the City of Medford.

Acceptable Identification means either:

A. a current driver's license that includes the date of birth, photograph, and physical description of the person offering the identification; or

B. two other pieces of current identification, at least one of which is issued by a governmental agency or subdivision and includes the date of birth, photograph and physical description of the person offering the identification.

Police Chief means the Chief of Police of the City of Medford or the Police Chief's designees.

Regulated Property means the following used property:

A. Precious metals, including but not limited to, any metal valued for its character, rarity, beauty or quality, including gold, silver, copper, platinum or other metals, whether as a separate item or in combination with other items.

B. Precious gems, including but not limited to, any gem valued for its character, rarity, beauty or quality, including diamonds, rubies, emeralds, sapphires or pearls, or other precious or semi-precious gems or stones, whether as a separate item or in combination with other items or as a piece of jewelry.

C. Watches and jewelry containing precious metals or precious gems, including but not limited to, rings, necklaces, pendants, earrings, brooches, chains, pocket watches, wrist watches, or stop watches.

D. Sterling silver flatware, including but not limited to, knives, forks, spoons, candlesticks, coffee and tea sets, or ornamental objects.

E. Any electronic audio, video or photographic and optical equipment.

F. Any power tools or equipment.

G. Musical instruments.

H. Sporting equipment.

5. Sec. 14-132 of the Revised Ordinances of the City of Medford is hereby amended as follows:

Sec. 14-132. Single license may be issued.

The city council may grant a single license to the same person to be both a dealer and a collector on payment of the required fee for each license.

6. Sec. 14-133 of the Revised Ordinances of the City of Medford is hereby amended as follows:

Sec. 14-133. Purchases by a Secondhand Dealer or Secondhand Collector.

A secondhand dealer or secondhand collector shall not make any cash purchase in an amount that exceeds \$50.00 [fifty dollars and zero cents].

7. That the following new Sections 14-136, 14-137, 14-138, 14-139, 14-140 and 14-141 shall be added to the Revised Ordinances of the City of Medford following Sec. 14-135.

Sec. 14-136 Unauthorized Sale of Property.

A. No person shall sell or attempt to sell property to a secondhand dealer or collector without the consent of the property's owner.

B. A secondhand dealer shall post a notice substantially similar to that set forth in subsection C of this section in the manner and at the locations described in subsection D of this section. The size of the notice shall be no smaller than eight and one-half inches by 11 inches with lettering no smaller than one-fourth of an inch in height.

C. The notice shall be worded substantially as follows:

NOTICE

The sale or attempted sale of property to a secondhand dealer without consent of the property's owner is punishable by a civil penalty not to exceed \$500 per item.

Don't sell property without consent of the property's owner. You will be held strictly liable for violation of this law.

D. Every copy of the notice required to be posted under this section shall be posted in a manner reasonably calculated to provide patrons actual knowledge of the contents of the notice. A copy of the notice shall be posted:

- 1. Outside each point of entry intended for patron use; and*
- 2. At or near each place where a secondhand dealer purchases used property in the regular course of business.*

E. If a significant number of the patrons of the regular second-hand dealer use a language other than English as a primary language, the notice shall be worded in both English and the primary language or languages of the patrons.

Sec. 14-137 Issuance Renewal or Revocation of Permit.

A. The City Council of the City of Medford may deny an application for a Secondhand Dealer or Secondhand Collector License or revoke an issued license if it has probable cause to believe any of the following conditions exist:

1. The applicant, or any person who will help own, manage or operate the Secondhand Dealer or Secondhand Collector business, has owned or operated a Secondhand Dealer or Secondhand Collector business regulated under this ordinance or any substantially similar ordinance and, within the five years prior to the application date:

a. has had a Secondhand Dealer or Secondhand Collector License revoked for a reason that would be grounds for a denial or revocation pursuant this ordinance; or

b. the Secondhand Dealer or Secondhand Collector business has been found to constitute a public nuisance.

2. The applicant, or any person who will help own, manage or operate the Secondhand Dealer or Secondhand Collector business, has been convicted of a felony or any crime involving a false statement or dishonesty within 15 years prior to the application date.

3. The applicant has:

a. knowingly made a false statement in the application;

b. knowingly omitted information requested to be disclosed in the application; or

c. completed the application with reckless disregard for the truth or accuracy of the statements made therein.

4. A lawful inspection of the Secondhand Dealer or Secondhand Collector business premises by the Police Chief has been unjustifiably refused by a person who helps own, manage or operate the business.

5. The Secondhand Dealer or Secondhand Collector business, the applicant or any person who will help own, manage or operate the Secondhand Dealer or Secondhand Collector business, has more than five violations of this ordinance, the Revised Ordinances of the City of Medford, any State or Federal law, or any combination thereof within a two-year period, including the two years prior to the application date.

Sec. 14-138 Secondhand Dealer or Secondhand Collector Recordkeeping.

A. The Police Chief shall design a purchase report form and make copies available to all Secondhand Dealers or Secondhand Collectors. These forms, or any other substantially similar form approved by the Police Chief, shall be utilized to record purchases of regulated property by Secondhand Dealers or Secondhand Collectors. The form may request any information reasonably calculated to help the Police Chief identify the purchaser, the seller or the property associated with the purchase of regulated property.

B. Whenever a Secondhand Dealers or Secondhand Collectors purchases regulated property for business purposes, the Secondhand Dealers or Secondhand Collectors shall obtain acceptable identification from the seller along with the seller's current residence address. The Secondhand Dealers or Secondhand Collectors shall fill out a purchase report form in all relevant aspects at the time of the purchase. A purchase report form required to be filled out by this section shall be filled out in legible English. The seller shall sign his or her name on the filled-out form.

Sec. 14-139 Holding Periods.

A. A copy of every purchase report form filled out as required by this ordinance shall be kept on the premises of the Secondhand Dealer or Secondhand Collector business during normal business hours for at least three (3) year from the date of purchase. The report form shall be subject to inspection by the Police Chief.

B. All regulated property in the categories of precious metals or precious gems, as the same are defined in Sec. 14-131, purchased by a Secondhand Dealer or Secondhand Collector and required to be recorded on a purchase report form shall be held by said Secondhand Dealer or Secondhand Collector for at least 21 days from the date of purchase. All other regulated property as defined in Sec. 14-131, purchased by a Secondhand Dealer or Secondhand Collector and required to be recorded on a purchase report form shall be held by said Secondhand Dealer or Secondhand Collector for at least 15 days from the date of purchase. The Secondhand Dealer or Secondhand Collector shall maintain the property in substantially the same form as when purchased and shall not alter, exchange or commingle the property. During the holding period the regulated property shall be kept on the business premises during normal business hours and shall be subject to inspection by the Police Chief.

C. The Police Chief may give written notice to a Junk Dealer or Junk Collector holding regulated property that the Police Chief has reasonable grounds to believe more likely than not a specific item of regulated property is associated with criminal conduct. The Secondhand Dealer or Secondhand Collector holding the regulated property shall then continue to hold the property specified in the notice in the same manner and place as required under subsection (B) of this section until released by the Police Chief.

D. The holding period for any item of regulated property shall not exceed 180 days from the date of purchase.

E. If unreasonable hardship will result from holding regulated property as required under this section, the Secondhand Dealer or Secondhand Collector may request in writing that the Police Chief shorten the length of the holding period. The request should identify the property to which the request relates and state the reason extreme hardship will result if the holding period is not shortened. The Police Chief may grant a request to shorten the length of the holding period if the Secondhand Dealer or Secondhand Collector establishes clear and convincing grounds to believe that undue hardship will occur if the request is not granted. If the Police Chief decides relief from the holding

period is appropriate, the Police Chief shall provide the Secondhand Dealer or Secondhand Collector who requested relief with written authorization to sell, transfer or otherwise dispose of the regulated property. The authorization shall be effective only upon delivery of the written authorization to the second-hand dealer.

14-140 Inspection of Property and Records.

A. Whenever necessary to make an inspection to enforce the provisions of this ordinance, or when the Police Chief has reasonable grounds to believe more likely than not that a specific item of regulated property held by a Secondhand Dealer or Secondhand Collector is associated with criminal conduct, the Police Chief may enter the premises of the Secondhand Dealer or Secondhand Collector at any reasonable time, provided that the premises are occupied at the time of entry and the Police Chief presents proper official identification at or near the time of demanding entry. If entry is refused, the Police Chief shall have recourse to every remedy provided by law to secure entry, including an administrative search warrant or a criminal search warrant.

B. Authority to inspect Secondhand Dealer or Secondhand Collector premises under this ordinance is in addition to and not in limitation of the authority the City or the Police Chief would otherwise have to enter the business premises.

C. Once allowed to enter the premises of the Secondhand Dealer or Secondhand Collector, the Police Chief may inspect property kept there. The Police Chief may also inspect the business records associated with regulated property and perform any duty imposed upon the City or the Police Chief by this ordinance

14-141 Penalty.

A. Violation of a provision of this ordinance by a person who helps own, manage or operate a Secondhand Dealer or Secondhand Collector business may be grounds to revoke any license issued to that business.

B. Violation of a provision of this ordinance by a person may constitute a public nuisance subject to abatement.

C. The penalties imposed by this section for violation of this ordinance are in addition to and not in limitation of any other action or claim available to the City or any other governmental jurisdiction.

Upon motion by Councillor Penta that the Committee Report be reported out of Committee

Addressing the Council

Cheryl White, Executive Director, Chamber of Commerce

Upon motion by Councillor Maiocco that the Committee report be adopted and that amendment to the City of Medford's Ordinance waive all 3 readings on a roll call vote of 7 in the affirmative and 0 in the negative-Adopted/Ordained

Councillor motioned to revert back to regular order of business-passed

COMMUNICATIONS FROM THE MAYOR

08-431

June 6, 2008

To the Honorable President

and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body appropriate the sum of One Hundred Seventy Six Thousand Six Hundred One Dollars (\$176,601) from the Sale of Real Estate to the following budget accounts.

Amount	To
\$145,000	Special Education/Transportation Schools
26,944	Serve-Pro MHS Fire/Water Clean-Up
4,657	MHS Fire Related Plumbing/Electrical
<hr/>	
\$176,601	

These funds are available from the existing Sale of Real Estate, but will need to be reimbursed from the projected sales of municipal property expected by the end of the fiscal year.

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:Imc

Upon Councillor Maiocco to receive and place on file-passed

Councillor Maiocco motioned to take paper 08-431A out of order-passed

08-431A

June 10, 2008

To the Honorable President
And Members of the Medford City Council
City Hall
Medford, MA. 02155

Dear Madam President and City Councillors,

I respectfully request and recommend that your Honorable Body appropriate the following sums from the Sale of Real Estate Account. A total of One Hundred, Thirty eight Thousand Dollars (\$138,000) is available from the sale of the Kennedy Lincoln complex to reduce the following deficits in the Fiscal 2008 budget.

FROM	AMOUNT	TO
Sale of Real Estate	\$76,000.00	010-210-5850 Police Cruiser Lease/Purchase
Sale of Real Estate	\$62,000.00	010-220-5850 Fire Pumper Lease/Purchase

Other deficits exist and are being calculated. The means to reduce or eliminate such deficits to the extent possible are being formulated. Any appropriate action will be submitted to your Honorable Body in the very near future.

Very truly yours,
Signature on file w/paper
Michael J. McGlynn
MAYOR

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Camuso)-passed
Councillor Maiocco motioned for suspension of the rules to take Committee of the Whole Report 08-444 -out of order-passed

08-444

**Committee of the Whole
Meeting Report
June 10, 2008**

Attendees: Stephanie Muccini Burke, President, Breanna Lungo-Koehn, Vice President, Councillor Dello Russo, Councillor Marks, Councillor Maiocco, Ann Baker, Richard Lee, Chief Leo Sacco, John Storella, Mike DeClemente

The purpose of the Meeting was to discuss paper 08-422 and Municipal and School deficit and employee health care

Recommendations

To receive and place on file paper 08-422 and 08-431

That the administration provide an update to the Council on the Water and Sewer billing between Wendy's and Whole Foods on Middlesex Ave

Upon motion by Councillor Maiocco to report out the Committee Report-passed

Upon motion by Councillor Maiocco that the report be adopted-Adopted

Councillor Maiocco motioned for suspension of the rules to take paper 08-422A out of order-passed

08-422A

June 10, 2008

To the Honorable President
And Members of the Medford City Council
City Hall
Medford, MA. 02155

Dear Madam President and City Councillors

I respectfully request and recommend that the sum of One Million, Fifty eight Thousand, Six Hundred One Dollars, (1,058,601.) be transferred from SALE OF REAL ESTATE to DEBT SERVICE/PRINCIPAL ON BONDS, and rescind the original FY '08 budget authority voted for Debt Service and reauthorize this sum to School Expenses for FY '08 to be appropriated as follows:

\$514,000.00	Operation of School Plant-Utilities
\$212,000.00	010-300-5230-0400-4130-041 School Fuel Settlement
\$117,000.00	010-300-5290-0400-4200-041 Repair Alarm Systems/MHS
\$39,000.00	010-300-5130-03004500-041 Firefighters Details/MHS
\$145,000.00	Special Education/Transportation
\$26,944.00	Serve-Pro MHS Fire/Water Clean Up
\$4,657.00	MHS Fire Related Plumbing/Electrical

Very truly yours,
Signature on file w/paper
Michael J. McGlynn
MAYOR

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Camuso)-passed

Councillor Maiocco motioned to revert back to regular order of business-passed

08-432

June 6, 2008

To the Honorable President
And Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve of the following transfer of funds:

FROM	AMOUNT	TO
010-145-5110 Treasurer Salary	\$32,000	010-543-5380 Veterans Cash Aid
010-145-5306 Treasurer Data Processing	\$11,000	010-543-5380 Veterans Cash Aid

These transfers are necessary in order to balance the Veterans Cash Aid for the balance of the Fiscal Year.

Funds exist in the Treasurer/Collectors Salary budget due to a vacancy and in the Data Processing line-item due to cost savings.

FROM	AMOUNT	TO
010-914-5170-1119 Group Health Insurance	\$12,000	010-914-5170-1118 Medicare
“	“	010-912-5150 Workers Comp. Expenses

FROM	AMOUNT	TO
Group Health Insurance	\$ 63,000	010-220-5210 Fire Utilities

“	“	\$ 5,000	010-910-5170 Non Contrib. Retirement
“	“	\$140,000	MSP School Building Repairs
“	“	\$ 5,000	010-102-5302 Negotiation Expenses
“	“	\$ 2,500	010-293-5252 Traffic Striping
“	“	\$ 4,600	010-914-5310 Technical Services

These transfers will balance the respective accounts for the remainder of Fiscal 2008. Funds are available due to vacancies or changes in health care coverages.

FROM	AMOUNT	TO
010-151-5761 Law Claims	\$ 2,900	010-151-5110 Law Salaries
This is to balance the Law Salary Account for the fiscal year.		

FROM	AMOUNT	TO
010-247-5230 Street Lights	\$ 45,000	010-246-5130 Signal Overtime

This will balance the line item for the remainder of this fiscal period.

FROM	AMOUNT	TO
010-220-5110 Fire Salaries	\$61,000	010-220-5170-1121 Fire Medical Expenses

This transfer will balance the Medical Account for the remainder of the fiscal year and funds are available due to position vacancies.

Very truly yours,
Signature on file with paper
Michael J. McGlynn,
MAYOR

MJM:Imc

Upon motion by Councillor Maiocco on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-433

June 4, 2008

To: President Stephanie Muccini Burke and Members of the
Medford City Council

From: Mayor Michael J. McGlynn

Re: Amendment to "***Appendix A Fee Schedule***" of the Revised Ordinances of the
City of Medford

Dear Madam President and Members of the Medford City Council:

I respectfully request and recommend that your Honorable Body approve the following amendments and additions to "*Appendix A Fee Schedule*" of the Revised Ordinances of the City of Medford.

The following is a full text of the proposed amendments and additions. The present fees are set forth on black type and the proposed changes are set forth in quotes, italics and a slightly larger font just below the present fees.

Respectfully Submitted,

Signature on file w/paper

Mayor Michael J. McGlynn

Upon motion by Councillor Camuso on a roll call vote of 7 in the affirmative and 0 in the negative to waive all three reading-Ordained

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-437-Offered by Councillor Penta

Be It Resolved that the Medford City Council extend congratulatory wishes to Anthony and Norma Arena on the wonderful and happy occasion of their 50th wedding anniversary.

Upon motion by Councillor Penta-passed

08-438-Offered by Councillor Marks

Be It Resolved that the annual crosswalk painting be discussed

Amended by Councillor Marks that DPW immediately have the crosswalks painted in the interest of public safety

08-366- Legislative action to prevent the taking of any taxpayer private residential property in Medford with the expansion of the Green Line into Medford

IN COUNCIL

MAY 6, 2008

TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006 07-072-Intercept Program 07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008 08-268-Six Month Review of Show Cause Hearing Domino's Pizza Sept. 16, 2008
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Records:

The Records of the Meeting of June 3, 2008 were passed to Councillor Marks, then Councillor Marks reviewed the records and found them to be in order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:32 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

June 24, 2008

Medford City Council
The Twenty-First Regular Meeting
Medford, Massachusetts
June 24, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.

Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twenty-First Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of June 10, 2008 were passed to Councillor Maiocco

Those Present and seated inside the hall were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

08-428

**NOTICE
OF PUBLIC HEARING
CITY OF MEDFORD**

A Public Hearing will be held in the HOWARD F. ALDEN MEMORIAL CHAMBERS, CITY HALL, MEDFORD, MASSACHUSETTS, on Tuesday Evening, June 24, 2008, at 7:00 P.M. on a petition by Jason Trucks Inc. for a Special Permit pursuant to Chapter 94, Zoning ordinances of the City of Medford, Section 94-148, Use No. 37, to operate an Automotive Repair Establishment at 407R Mystic Avenue Unit #40, Medford, MA., said site being located in a C-2 Zoning District.

Petitions and plans may be seen in the Office of the City Clerk, Room 103, City Hall, Medford, Massachusetts.

Call 781-393-2501 for any accommodations/aids, T.D.D.781-393-2516.
The City of Medford is an EEO/AA/504 Employer.
By Order of the City Council.

S/Edward P. Finn
City Clerk

In Favor-Attorney Robert Abruzese, 92 High St.
In Opposition-None
This portion of the Hearing Closed

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-Granted

08-427

**NOTICE
OF PUBLIC HEARING
CITY OF MEDFORD**

A Public Hearing will be held in the HOWARD F. ALDEN MEMORIAL CHAMBERS, CITY HALL, MEDFORD, MASSACHUSETTS, on Tuesday Evening, June 24, 2008, at 7:00 P.M. on a petition by Jason Trucks Inc, to operate an Automotive Repair Shop at 407R Mystic Avenue Unit #40, Medford, Massachusetts.

Petitions and plans may be seen in the Office of the City Clerk, Room 103, City Hall, Medford, Massachusetts.

Call 781-393-2501 for any accommodations/aids, T.D.D.781-393-2516.

The City of Medford is an EEO/AA/504 Employer.

By Order of the City Council.

S/Edward P. Finn
City Clerk

In Favor-Attorney Robert Abruzese, 02 High St.
In Opposition-None
This portion of the Hearing is closed

Upon motion by Councillor Marks on a roll call vote of 7 in the affirmative and 0 in the negative-Granted

Councillor Penta moved for suspension of the rules to take paper 08-391 out of unfinished business-passed

08-391 Loan Order \$600,000 Wind Turbine @ McGlynn/Andrew Schools

IN COUNCIL	MAY 20, 2008	PASSED TO TAKE ITS FIRST READING
	JUNE 5, 2008	ADVERTISED 2 ND READING
3 RD	JUNE 24, 2008	ELIGIBLE FOR & FINAL READING

Addressing the Council-Patricia Barry, Everett St., Environmental Officer
Lienna Soznova, 51 Maurice St.

Upon motion by Councillor Penta that the Loan Order takes its 3rd and final reading for passage on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Penta motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-448-Petition by Elifils Chery, 185 Pearl Street, Malden, MA for a Taxi-Operators License

CORI-On File w/Police

Upon motion by Councillor Marks-Granted

08-449-Petition by John Thomas Sateriale, 44 Everett Street, Everett, MA for a Taxi-Operators License

CORI-On file w/Police

Upon motion by Councillor Penta to Table-Tabled

08-450-

Petition by Colonial Volkswagen of Medford for Class 1 Automotive Sales License for 162 Mystic Ave.

On File

Petition

Corporation Paper

Fire Dept.

Health Dept.

Police Dept.

Treasurer

State Tax Form

Letter of Compliance

Workmen's' Compensation Affidavit

Addressing the Council-Brian Lafferty, Concord Ma.

Upon motion by Councillor Marks-Granted

08-451-Petition by Richard L. Cole, 44 Greenhalge Street to speak about basketball nuisance at corner of Saunders and Greenhalge Streets.

Amended by Vice President Lungo-Koehn that the paper be referred to the Chief of Police with a report back on the violation and to increase patrol in the neighborhood

Amended by Councillor Camuso that the administration forwards the paper to department heads to see if there are any violations that need to be addressed

Upon motion by Vice President Lungo-Koehn as amended-passed

Councillor Maiocco motioned for suspension of the rules to allow a citizen to address the Council-passed

Addressing the Council-Lienna Soznova, 51 Maurice St., Medford on Wind Turbine Loan

Councillor Maiocco motioned to revert back to regular order of business-passed

COMMUNICATIONS FROM THE MAYOR

08-452

June 19, 2008

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve the following transfers of funds FROM - Group Health Insurance, 010-914-5170-1119:

TO –		ACCOUNT NUMBER	AMOUNT
Executive	Longevity	010-102-5150-1111	\$100
Finance	Longevity	010-135-5150-1111	\$100
<u>08-452(cont)</u>	Sick Incentive	010-135-5150-1115	\$725
Purchasing	Longevity	010-138-5150-1111	\$50
	Sick Incentive	010-138-5150-1115	\$525
Assessing	Longevity	010-141-5150-1111	\$300
Law	Longevity	010-151-5150-1111	\$100
	Sick Incentive	010-151-5150-1115	\$1200
Office of Community Development	Sick Buy Back	010-181-5150-1114	\$1595
	Sick Incentive	010-181-5150-1115	\$362
Veterans	Longevity	010-543-5150-1111	\$100
Library	Sick Incentive	010-610-5150-1115	\$3525
Council on Aging	Longevity	010-541-5150-1111	\$393
	Sick Buy Back	010-541-5150-1114	\$1536
	Sick Incentive	010-541-5150-1115	\$475

Total funds to be transferred are \$11,086.

Very truly yours,
Signature on file w/paper

Michael J. McGlynn,
MAYOR

MJM:lmc

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Penta)-passed

08-453

June 19, 2008

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve of the following transfers:

FROM	MOUNT	TO
010-247-5230 Street Lights	54,000	010-423-5294 Snow& Ice Equipment Hire
010-610-5306 Library	15,000	“ “
010-181-5110 Office of Community Development Salary	8,500	“ “
010-914-5170-1119 Health Insurance	68,000	“ “

These transfers will reduce the Snow & Ice deficit from \$815,734 to \$670,234.

08-453(Cont)

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:lmc

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Penta)-passed

08-454

June 20, 2008

To the Honorable President
And Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

In accordance with Massachusetts General Law Chapter 44 Section 53A, I respectfully request and recommend that your Honorable Body accept the following gifts in the following amounts. These were negotiated with the respective parties and will be used to reduce the existing snow and ice deficits.

FROM	AMOUNT
Tufts University	\$300,000
Harvard Vanguard	<u>\$100,000</u>
	\$400,000

With the application of these gifts, the Snow and Ice deficit is reduced to \$270,000 from \$670,000.

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:lmc

Addressing the Council-John Storella, 22 Metcalf St., Richard Lee, Mayor's Office

Upon motion by Councillor Maiocco-Passed

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-459

June 24, 2008

To the Honorable President
And Members of the Medford City Council
City Hall

Medford, MA 02155

Dear Madam President and City Councillors:

In accordance with Massachusetts General Laws Chapter 44, Section 53A, I respectfully request and recommend that your Honorable Body accept the following gift in the amount of Forty-Five Thousand Dollars, (\$45,000) from a private donor who wishes to remain anonymous and whose intentions for the use of the funds is as follows:

08-459(Cont)

1. \$20,000 to be appropriated for the maintenance of the Saving Lives program for Fiscal 2009.
2. \$25,000 to be used to reduce the Fiscal 2008 Snow and Ice expenditures/deficits.

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:lmc

Addressing the Council-John Storella, 22 Metcalf St.

Upon motion by Councillor Maiocco-passed

08-460

June 24, 2008

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body transfer Twenty-Five Thousand Dollars, (\$25,000) from Health Insurance, Account 010-914-5170-1119 to Snow and Ice Equipment Hire, Account Number 010-423-5294.

Please note that \$90,000 has been consolidated from various line items and transferred to Snow and Ice Over-time to further reduce the Snow and Ice deficit.

Very truly yours,
Signature of file w/paper
Michael J. McGlynn,
MAYOR

MJM:lmc

Upon motion by Councillor Maiocco on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-461

June 24, 2008

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that the sum of One Hundred Twenty Nine Thousand Dollars (\$129,000) be transferred from Sale of Real Estate to Debt Service/Principal on Bonds and rescind the original FY '08 budget authority voted for Debt Service and reauthorize the sum to reduce the existing Snow & Ice deficit for FY '08.

These funds were to be held in escrow until the completion of a water replacement project. The contractor agreed to release these funds early at my request.

08-461(Cont)

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:lmc

Addressing the Council-Richard Lee, Mayors Office

Upon motion by Councillor Camuso on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-458

June 24, 2008

To: President Stephanie Muccini Burke and Members of the
Medford City Council

From: Mayor Michael J. McGlynn

Re: Amendment to "**Appendix A Fee Schedule**" of the Revised Ordinances of the City of Medford

Dear Madam President and Members of the Medford City Council:

I respectfully request and recommend that your Honorable Body approve the following amendments and additions to "*Appendix A Fee Schedule*" of the Revised Ordinances of the City of Medford.

The following is a full text of the proposed amendments and additions. The present fees are set forth on black type and the proposed changes are set forth in quotes, italics and a slightly larger font just below the present fees. I have indicated the fees that were recently changed by the use of an asterisk.

Respectfully Submitted,
Mayor Michael J. McGlynn

**An Ordinance
Amending
Appendix A Fee Schedule
of the
Revised Ordinances of the City of Medford**

BE IT ORDAINED: By the City Council of the City of Medford that Appendix A of the Revised the Ordinances of the City of Medford, as most recently amended, is hereby further amended by changing the fees as indicated and enacting a new section entitled "Article II (c) (33)" which relates to "Licenses and Permits" and would provide for a few of \$10.00 for a "City Clerk Certification" and a new section entitled "Article II (d) 9 (d)" which relates to "Scanners Customer Accessible"

APPENDIX A FEE SCHEDULE*

***Cross references:** Finance, § 2-911 et seq.

TABLE INSET:

Description Amount Section these Revised Ordinances

Chapter 6. Animals

Article II. Dogs

(a) Transfer license fee.....\$ 0.25 "**3.00**" 6-36

(b) License fees: 6-37

(1) Male dog..... 10.00 "**15.00**"

(2) Male dog, neutered..... 6.00 "**10.00**"

- (4) Female dog..... 10.00 **“15.00”**
- (4) Female dog, spayed.....6.00 **“10.00”**
- (5) Seeing Eye dog..... No fee

Chapter 14. Businesses

Article II. Licenses and Permits

(b) License and permit fee schedule: The fees set forth for the following licenses or permits shall, at the time the petition is filed, be deposited with the treasurer and collector; and, when the petition is granted, the city clerk shall deliver to the petitioner his license or permit; and, if the petition is denied by the city council, the treasurer and collector shall, upon the surrender of the receipt, refund the petitioner the amount of his deposit.

(1) Awnings, bay window, erecting or maintaining awnings, bay windows, shelves, signs or other projections over the sidewalk; for each projection.....25.00 **“100.00”**

(2) Bowling alleys:

- a. Primary fee, weekdays.....100.00 **“125.00”**
- b. Primary fee, Sundays.....100.00 **“125.00”**
- c. Each alley, weekdays.....15.00 **“25.00”**
- d. Each alley, Sundays.....15.00 **“25.00”**
- e. Renewals..... Same as above

(3) Cleansing or dyeing:

- a. Plant.....100.00 **“125.00”**
- b. Agent.....50.00 **“100.00”**
- c. Renewals..... Same as above

(4) Coffee or tearoom.....50.00 **“75.00”**

(5) Common victuallers.....50.00 **“75.00”**

(7) Garage licenses:

- a. Up to five cars.....8.00 **“10.00”**
- b. Six cars and up, per car....1.50 **“2.00”**
- c. Registration certificate.....½ “of original fee **“100% “of original fee**

(8) Gasoline storage (in gallons):

- a. One to 999..... 50.00 **“75.00”**
- b. 1,000 to 1,999.....60.00 **“85.00”**
- c. 2,000 to 2,999.....70.00 **“95.00”**
- d. 3,000 to 3,999.....80.00 **“105.00”**
- e. 4,000 to 4,999.....90.00 **“115.00”**
- f. 5,000 to 9,999.....120.00 **“150.00”**
- g. 10,000 to 14,999.....150.00 **“180.00”**
- h. 15,000 to 19,999.....200.00 **“240.00”**
- i. 20,000 to 24,999.....250.00 **“290.00”**
- j. 25,000 to 29,999.....300.00 **“340.00”**
- k. 30,000 to 39,000.....350.00 **“390.00”**
- l. 40,000 and over.....450.00 **“490.00”**
- m. Renewal.....1/2 of original fee **100%** of original fee

- (10) Inflammable liquids:
- a. Class A fluids (156 gallons to 4,999 gallons).....50.00 **“75.00”**
 - b. Class B fluids (500 to 4,999 gallons)..... 50.00 **“75.00”**
 - c. Class C fluids (1,000 to 4,999 gallons).....50.00 **“75.00”**
 - d. Increased amounts shall be charged at the rate of \$8.00 per additional 1,000 gallons or a portion thereof
- (12) Junk collectors, dealer, etc. Business of bartering for, or collecting junk, old metals and rags.....75.00 **“100.00”**
- (13) Junk shops.....150.00 **“200.00”**
- (14) Light and heavy fuel:
- a. 10,000 to 20,000 gallons.....350.00 **“400.00”**
 - b. 20,000 gallons and over.....500.00 **“550.00”**
- (15) Lodginghouses.....50.00 **“100.00”**
- (16) Motor vehicles, business of buying, selling, exchanging, or assembling secondhand motor vehicles or parts:
- a. Class 1 Agent's license.....100.00 **“125.00”**
 - b. Class 2 Used car dealer's license..100.00 **“125.00”**
 - c. Class 3 Motor vehicle junk license.....100.00 **“125.00”**
 - d. Class 4 Repairman.....100.00 **“125.00”**
 - e. Class 5 Repossession.....100.00 **“125.00”**
- (17) Parking space. Persons engaged in the business of conducting or maintaining an open air parking space; such licenses to expire on April 30 of each year....100.00 **“200.00”**
- a. Pool or billiard rooms, primary fee..... 200.00
 - b. Pool or billiard rooms, each table..... 50.00
- (18) Poll books.....20.00 **“25.00”**
- (19) Repair shop:
- a. Primary.....100.00 **“125.00”**
 - b. Renewal.....50.00 **“100.00”**
- (20) Secondhand articles.....100.00 **“125.00”**
- (21) Secondhand articles dealer.....100.00 **“125.00”**
- (c) Fee schedule for issuance, filing and recording of various documents and records by the city clerk:
- (1) Filing and indexing assignment for the benefit of creditors.....5.00 **“10.00”**
 - (2) Entering amendment of a record of the birth of an illegitimate child subsequently legitimized.....10.00 **“15.00”**
 - (3) Correcting errors in a record of birth.....10.00 **“15.00”**
 - (4) Furnishing certificate of a birth.....5.00 **“10.00”**
 - (5) Furnishing an abstract copy of a record of birth..... 3.00 **“10.00”**
 - (6) Entering delayed record of birth..... 10.00 **“15.00”**
 - (7) Filing certificate of a person conducting business under any title other than his real name.....20.00 **“30.00”**
 - (8) Filing by a person conducting business under any title other than his real name of statement so change of his residence, or of his discontinuance retirement or withdrawal from, or of a change of location of such business.....20.00 **“30.00”**

- (9) Furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such business.....5.00 **“10.00”**
- (10) Recording the name and address, the date and number of the certificate issued to a person registered for the practice of podiatry in the commonwealth.....50.00 **100.00”**
- (11) Financing statement 5.00 **“10.00”**
- (12) Financing attachments, per page...1.00 **“2.00”**
- (13) Correcting errors in a record of death.....10.00 **“15.00”**
- (14) Furnishing a certificate of death.....5.00 **“10.00”**
- (15) Furnishing an abstract copy of a record of death....3.00 **“10.00”**
- (16) Issuing and recording pawnbroker's license.....100.00 **“500.00”**
- (17) Entering notice of intention of marriage and issuing certificates thereof....20.00 **“30.00”**
- (18) Entering certificate of marriage filed by persons married out of the commonwealth.....10.00 **“15.00”**
- (19) Issuing certificate of marriage.....5.00 **“10.00”**
- (20) Furnishing an abstract copy of a record of marriage..... 4.00 **“10.00”**
- (21) Correcting errors in a record of marriage.....10.00 **“15.00”**
- (22) Recording power of attorney.....10.00 **“15.00”**
- (23) Recording certificate of registration granted to a person to engaged in the practice of optometry, or issuing a certified copy thereof.....50.00 **“100.00”**
- (24) Recording the name of the owner of a certificate of registration as physician or osteopath in the commonwealth.....50.00 **“100.00”**
- (25) Recording order granting locations of poles, piers, abutments or conduits, alterations or transfers thereof, and increase in number of wires and cable or attachments under the provisions of section 22 of chapter 166.
- a. Flat charge.....25.00 **“100.00”**
- b. Additional fee..... 5.00 **“10.00”**
- c. Additional for each street or way included in such order.....3.50 **“5.00”**
- (26) Examining records or papers relating to birth, marriage or deaths upon the application of any person, the actual expense thereof, but not less than.....5.00 **“10.00”**
- (27) Copying any manuscript or record pertaining to a birth, marriage or death..... 5.00 **“10.00”**
- (28) Receiving and filing of a complete inventory of all items to be included in a "closing out sale" etc.....10.00 **“15.00”**
Plus per page.....2.00 **“5.00”**
- (29) Filing a copy of written instrument or declaration of trust by the trustees of an association or trust, or an amendment thereof as provided by M.G.L.A. c. 182, § 2.....50.00 **“100.00”**
- (30) Recording deed of lot or plot in a public burial place or cemetery..... 10.00 **“15.00”**
- (32) Voter's card.....3.00 **“10.00”**
- (d) Fee schedule for Inspection, Registration, and or Sealing of Weighing and Measuring devices
- (1) Balances and scales:

- b. 5,000 to 10,000 pounds.....80.00 **“90.00”**
- e. 100 pounds or less.....20.00 **“30.00”**
- (2) Weights:
 - a. Avoirdupois (each).....2.00 **“3.00”**
 - b. Metric (each).....2.00 **“3.00”**
 - c. Apothecary (each) 2.00 **“3.00”**
 - d. Troy (each).....2.00 **“3.00”**
- (3) Capacity measures:
 - c. Liquid:
 - (4) Liquid measuring meters:
 - a. Inlet one-half inch or less (oil, grease).....20.00 **“25.00”**
 - b. Inlet more than one-half inch to one inch (gasoline).....20.00 **“25.00”**
 - c. Inlet more than one inch:
 - 1. Diesel.....20.00 **“30.00”**
 - 2. High output diesel....50.00 **“60.00”**
 - d. Vehicle tank:
 - 1. Vehicle tank pump.....50.00 **“80.00”**
 - 2. Vehicle tank gravity.....75.00 **“85.00”**
 - e. Bulk storage.....95.00 **“100.00”**
 - 1. Company supplies (Prover)..... 75.00
- (5) Special equipment and facilities will be responsibility of the device owner.
- (6) Other devices:
 - c. Leather measure.....20.00 **“25.00”**
 - d. Fabric measuring.....20.00 **“25.00”**
 - e. Wire, rope, cordage..20.00 **“25.00”**
- (7) Linear measures:
 - a. Yard sticks.....5.00 **“20.00”**
 - b. Tapes.....20.00 **“25.00”**
- Scanners (Customer Accessible) 250.00 **“25.00”**
- (10)

Article III. Amusement Devices

- (a) License fees: 14-112
 - (1) Annual fee...100.00 **“125.00”**
 - (2) Renewal fee 100.00 **“125.00”**
 - (3) Substitution fee.....25.00 **“50.00”**

Article V. Peddlers and Itinerant Vendors

- (b) Peddler license fees:
 - (1) Application fee.....25.00 **“100.00”**
- 14-311
 - (2) Per day.....5.00 **“25.00”**
 - (3) Per week.....20.00 **“50.00”**
- (c) Minor's license fees:
 - (1) License fee.....0.50 **“5.00”**
- 14-387
 - (2) Badge fee.....0.25 **“5.00”**

14-388

Article VI. Automobile Repair Shops

Permit fee (annual).....100.00 “**125.00**”

14-463

(12)

Chapter 90. Vehicles For Hire

Article II. Taxicabs

(a) Operator's license fee..... 40.00 90-35 “**50.00**”

(b) Owner's license fee (per vehicle)....300.00 “**350.00**”

(c) Fee for photograph of operator.....5.00 “**10.00**”

90-49

Upon motion by Councillor Camuso to waived all three reading on a roll call vote of 7 in the affirmative and 0 in the negative-Ordained

Councillor Maiocco motioned to revert back to regular order of business-passed

08-455

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

The budget letter before you is not in its final form, although it is balanced as the attached projected and estimated re-cap shows. We shall be working throughout the weekend to hopefully resolve some outstanding situations which may change the budget authority or effectuate other changes or reductions to accurately reflect the final Fiscal 2009 municipal budget.

Any amendments to the budget letter will be conveyed to Your Honorable Body over the course of the next few days as the budget review sessions continue.

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:lmc

Upon motion by Councillor Maiocco to receive and place on file-passed

08-456

June 19, 2008

The Honorable President and
Members of the Medford City Council

Dear Ms. President and Councillors:

08-456(Cont)

I submit herewith for your approval, the Fiscal 2008-2009 budget for the city of Medford for the period July 1, 2008 to June 30, 2009.

The total submitted appropriations to cover Municipal Salaries and Expenses including those of the Medford School Department are:

Municipal Departments	\$ 87,143,469
School Department	\$ 44,884,941
TOTAL	\$132,028,410

Please be advised that these totals may be amended prior to final budget approval.

DEPARTMENT	GENERAL SALARIES	GOVERNMENT EXPENSES	TOTAL
Legislative	207,921	4,976	212,897
Executive	517,118	76,486	593,604
Assessors	257,046	40,700	297,746
Information Technology	87,488	85,201	172,689
Finance/Auditing	251,511	34,703	286,214
License Commission	5,400	300	5,700
Workers Compensation		695,000	695,000
OCD/Boards	167,937	49,582	217,519
HumanDiversity/Compliance	37,500	6,304	43,804
City Clerk	274,636	16,955	291,591
Election/Registration	177,491	55,551	233,042
Procurement	157,842	12,550	170,392
Law	200,839	93,500	294,339
Treasurer/Collector	401,212	108,201	509,413
Energy & Environment	66,636	4,230	70,866

PROTECTION PERSON & PROPERTY

DEPARTMENT	SALARIES	EXPENSES	TOTAL
Police	9,858,626	826,601	10,685,227
Off Street Parking Comm.	3,104		3,104
Traffic Commission	1,500	26,000	27,500

Fire	9,185,540	481,103	9,666,643
Building	439,695	390,002	829,697
Electrical	357,334	895,003	1,252,337
Weights/Measures	77,133	1,704	78,837
Consumer Advisory		500	500
Civil Defense	8,700	6,497	15,197
Saving Lives Program	27,069		27,069

PUBLIC WORKS

Non Enterprise Division*	2,564,119	5,816,519	8,380,638
Sewer Enterprise	967,183	10,371,493	11,338,676
Water Enterprise	1,240,467	6,591,208	7,831,675

*Cemetery, Engineering, Highway, Park, Forestry, Recreation

HEALTH & HUMAN SERVICES

Board of Health	394,678	58,001	452,679
Council on Aging	192,490	60,929	253,419

LIBRARY

Library	916,974	327,729	1,244,703
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VETERANS & CELEBRATIONS

Veterans Services	107,827	91,700	199,527
		9,000	9,000

PENSIONS & ANNUITIES

DEPARTMENT	SALARIES	EXPENSES	TOTAL
Contributory		8,299,877	8,299,877
Non Contributory		335,000	335,000

BONDS & INTEREST

General	6,014,819	6,014,819
Enterprise - Water/Sewer	1,151,241	1,151,241

INSURANCE

Fire/Glass Boiler	150,613	150,613
Group Health & Life		14,000,000

Liability		125,613		125,613
Medicare/Social Security		675,000		675,000
Unemployment Insurance		1		1
Employee Assistance Program	1		1	

SUMMARY

General Government	2,810,577	1,284,239		4,094,816
Protection				
Persons/Property	19,958,701	2,627,410	22,586,111	
Public Works				
Non Enterprise	2,564,119	5,816,519		8,380,638
Enterprise	2,207,650	16,962,701	19,170,351	
Health/Human Services		587,168	118,930	706,098
Library		916,974	327,729	1,244,703
Veterans & Celebrations		107,827	100,700	208,527
Pensions & Annuities			8,634,877	8,634,877
Bonds & Interests			7,166,060	7,166,060
Insurance		14,951,228	14,951,228	
MUNICIPAL		87,143,469		
SCHOOL		44,884,941		
TOTAL		132,028,410		

Very truly yours,
Michael J. McGlynn
Signature on file w/paper
MAYOR

MJM/lmc

Upon motion by Councillor Maiocco to receive and place on file and to place the revised budget on the agenda-passed

08-462-Offered by Councillor Penta

Be Resolved that by order of the City Council the three gas station on Salem Street Rte 60 be closed down for failure to renew their underground storage license, failure to pay past fines and failure to pay back taxes by the Code Enforcement Office and the Police Department.

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-passed

At this time the chair declared a recess at 8:20 PM

The Chair reconvened the meeting at 10:20 PM

Councillor Maiocco motioned to take paper 08-456A revised budget out of order-passed

08-456A

June 24, 2008

The Honorable President and
Members of the Medford City Council

Dear Madam President and Councillors:

I submit herewith for your approval, the Fiscal 2008-
2009 budget for the city of Medford for the period July 1, 2008 to June 30, 2009.

The total submitted appropriations to cover Municipal
Salaries and Expenses including those of the Medford School Department are:

Municipal Departments	\$ 87,198,396
School Department	\$ 44,840,000
TOTAL	\$132,038,396

DEPARTMENT	GENERAL GOVERNMENT		TOTAL
	SALARIES	EXPENSES	
Legislative	207,921	4,976	212,897
Executive	487,118	76,486	563,604
Assessors	257,046	40,700	297,746
Information Technology	87,488	85,201	172,689
Finance/Auditing	251,511	34,703	286,214 License
Commission	5,400	300	5,700 Workers
Compensation	695,000	695,000	OCD/Boards
167,937	49,582	217,519	Human Diversity/Compliance 37,500
6,304	43,804		
City Clerk	274,636	16,955	291,591
Election/Registration	177,491	55,551	233,042
Procurement	157,842	12,550	170,392
Law	200,839	93,500	294,339
Treasurer/Collector	401,212	108,201	509,413 Energy
& Environment	66,636	4,230	70,866

PROTECTION PERSON & PROPERTY

DEPARTMENT	SALARIES	EXPENSES	TOTAL
Police	9,831,321	875,101	10,706,422
Off Street Parking Comm.	3,104		3,104
Traffic Commission	1,500	26,000	27,500
Fire	9,154,511	543,102	9,697,613
Building	439,695	390,002	829,697
Electrical	357,334	895,003	1,252,337

Weights/Measures	77,133	1,704	78,837
Consumer Advisory		500	500
Civil Defense	8,700	6,497	15,197
Saving Lives Program	1		1

PUBLIC WORKS

Non Enterprise Division*	2,564,119	5,816,519	8,380,638
Sewer Enterprise	1,010,078	10,371,493	11,381,571
Water Enterprise	1,240,468	6,561,208	7,801,676

*Cemetery, Engineering, Highway, Park, Forestry, Recreation

HEALTH & HUMAN SERVICES

Board of Health	394,678	58,001	452,679
Council on Aging	192,490	60,929	253,419

LIBRARY

Library	916,974	327,729	1,244,703
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VETERANS & CELEBRATIONS

Veterans Services	107,827	91,700	199,527
Celebrations	9,000		9,000

PENSIONS & ANNUITIES

DEPARTMENT	SALARIES	EXPENSES	TOTAL
Contributory		7,709,000	7,709,000
Non Contributory		335,000	335,000

BONDS & INTEREST

General		6,014,819	6,014,819
Enterprise - Water/Sewer		1,151,241	1,151,241

INSURANCE

Fire/Glass Boiler		200,000	200,000
Group Health & Life		14,500,000	
Liability		180,000	180,000
Medicare/Social Security		675,000	675,000
Unemployment Insurance		1	1
Employee Assistance Program	34,000		34,000

SUMMARY

General Government	2,780,577	1,284,239		4,064,816
Protection				
Persons/Property	19,873,299	2,737,909	22,611,206	
Public Works				
Non Enterprise	2,564,119	5,816,519		8,380,638
Enterprise	2,250,646	16,932,701	19,183,347	
Health/Human Services		587,168	118,930	706,098
Library		916,974	327,729	1,244,703
Veterans & Celebrations		107,827	100,700	208,527
Pensions & Annuities			8,044,000	8,044,000
Bonds & Interests			7,166,060	7,166,060
Insurance		15,589,001	15,589,001	
 MUNICIPAL		87,198,396		
SCHOOL		44,840,000		
TOTAL		132,038,396		

Very truly yours,
Signature on file w/paper
Michael J. McGlynn
MAYOR

MJM/lmc

Addressing the Council-Richard Lee, Mayor's Office
John Storella, 22 Metcalf St.

Amended by President Burke that Mr. Lee provide the Council with the revised schedule of local receipts

Amended by Vice President Lungo-Koehn that the Mayor implement the Parks Program at Barry, Hickey and Morrison.

Upon motion by Councillor Camuso as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL

OCTOBER 24, 2006 TABLED

Adjournment:

Councillor Dello Russo motioned that meeting be adjourned at 10:45 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

July 15, 2008

Medford City Council
The Twenty-Second Regular Meeting
Medford, Massachusetts
July 15, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twenty-Second Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present

1 Absent (Marks)

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of June 24, 2008 were passed to Councillor Dello Russo

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

Councillor Maiocco motioned for suspension of the rules to take paper 08-482. Loan Order for constructing and reconstructing streets and sidewalks out of order-passed

08-482

July 15, 2008

To the Honorable President
And Members of the Medford City Council
City Hall
Medford, MA. 02155

Dear Madam President and City Councillors

I respectfully request and recommend that your Honorable body approve the following loan order.

**CITY OF MEDFORD
MASSACHUSETTS
LOAN ORDER**

Be it ordered that the sum of \$600,000 be and hereby is appropriated to pay costs of constructing and reconstructing sidewalks and for the payment of all costs incidental and related thereto, and that to raise this appropriation. The City Treasurer, with the approval of the Mayor, is authorized to borrow said sum and to issue bonds or notes of the City therefore in the aggregate principal amount of \$600,000 under and pursuant to

08-482(cont)

Chapter 44, Section 7(6), of the Massachusetts General Laws, as amended and supplemental, or pursuant to any other enabling authority.

The commissioner of Public Works and Director of finance and Auditing will be present this evening

Very truly yours
Michael J. McGlynn
Signature of file w/paper
MAYOR

Addressing the Council-Paul Gere, Commissioner of Public Works, Ann Baker, City Auditor

Amended by Councillor Camuso that the Auditor provide the balances from the linkage accounts and balances from linkage payments to the City from the developers of the Dunkin Donuts site from Mystic Ave. Linkage payments from the development should be used for streets and sidewalks surrounding the development in the neighborhoods especially Bonner and Alexander Ave.

Upon motion by Councillor Maiocco that the paper take its first reading on a roll call vote of 6 in the affirmative and 1 absent (Marks)-passed

Councillor Camuso motioned for suspension of the rules to take paper 08-465 out of order-passed

08-465-Petition by Bill Kazanjian, Avery Art Display for Members Plus Credit Union 29 High St., Medford for a reversal of sign denial on OCD Application 2008-28C, Secondary Sign, Only One Allowed

Amended by Councillor Penta that all 3 signs that is to be allowed, be the same size

Upon motion by Councillor Penta as amended-Granted

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

HEARINGS

08-464

**CITY OF MEDFORD
NOTICE OF A PUBLIC HEARING**

A Public Hearing will be held in the HOWARD F. ALDEN MEMORIAL CHAMBERS, CITY HALL, MEDFORD, MASSACHUSETTS, on Tuesday Evening, July 15, 2008, at 7:00 P.M., by David Del Rosario d/b/a David Auto Repair., to operate a Class IV Automotive Repair and Body Shop at 140 Mystic Ave., Medford, Massachusetts.

Petitions and plans may be seen in the Office of the City Clerk, Room 103, City Hall, Medford, Massachusetts.

Call 393-2501 for any accommodations/aids. T.D.D. 393-2516.

The City of Medford is an EEO/AA/504 Employer.

By Order of the City Council.

S/ Edward P. Finn
City Clerk

Advertised in Medford Daily Mercury July 1, 2008

08-464(Cont)

Those in Favor-David Del Rosario, Everett, Mrs Rosario, Everett, Al Dartmouth, 74 Magnolia Drive, Westwood, ? 18Auburn St, Everett, ? Revere, Sean Siva, 5 Hancock St, Everett

Those in Opposition-None

This portion of the hearing is closed

Upon motion by Councillor Penta-Granted

08-463

**CITY OF MEDFORD
NOTICE OF A PUBLIC HEARING**

A Public Hearing will be held by the Medford City Council in the Howard F. Alden Memorial Auditorium, 85 George P. Hassett Drive, Medford, Massachusetts, on

Tuesday Evening, July 15, 2008, at 7:00 P.M. on a petition from , by Alex Moreno d/b/a Alex's Auto Repair, 33 Mystic Ave., Medford, for Class 2, Used Auto Sales Use Special Permit, in accordance with Chapter 94, Zoning Ordinance of the City of Medford, section 94-148 (d) Table of Use Regulations, Automobile Uses 27A, for permission to operate its Class II, Second Hand Motor Vehicle Sales at 33 Mystic Avenue, Medford Massachusetts a Commercial 2 Zoning District

Petition and plan may be seen in the Office of the City Clerk, Medford City Hall, Medford, MA.

Call 781-393-2501 for any accommodations/aids. T.D.D. 781- 393-2516.
The City of Medford is an EEO/AA/504 Employer.

By order of the Medford City Council

S/Edward P. Finn, City Clerk

Advertised in Medford Daily Mercury July 1 and July 8 of 2008

Those in Favor-Alex Moreno
Those in Opposition-Peter Grava
This portion of the hearing is closed

Amended by Councillor Camuso that there be no more than 10 cars allowed on the property for sale and 6 month review of the special permit.

Upon motion by Councillor Penta as amended on a roll call vote of 5 in the affirmative, 1 in the negative (Maiocco) and 1 absent (Marks)-Granted.

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-472-Petition by Alex Moreno, d/b/a Alex's Auto Repair, 33 Mystic Ave, Medford, MA for a Class 2 Used Auto Sales License

On File

Business Certificate #124
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
08-472(Cont)
Corporation Papers

Letter of Compliance
Workman's Compensation
Class 2 Bond

Amended by Councillor Penta that there be a six month review of the license

Upon motion by Councillor Penta as amended-Granted
Councillor Maiocco recorded in opposition, Councillor Marks absent

08-469-Petition by Rose Mataev, 35 Jaconnet St., Newton d/b/a Mariella, 432 Salem Street., Medford for
Common Victualler's License

On File
Business Certificate #148
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Corporation Papers
Letter of Compliance
Workman's Compensation

Upon motion by Councillor Camuso-Granted

08-470-Petition by Rakesh Patel, Spring Street Superette, 88 Spring Street for a Common Victuallers
License

On File
Business Certificate #194
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Corporation Papers
Letter of Compliance
Workman's Compensation

Upon motion by Councillor Penta-Granted

08-471-Petition by Joe Ciampa, 61 Frederick Ave, Medford to address the Council on the telephone pole
in front of 67-69 and 73-75 Frederick Ave.

Upon motion by Councillor Penta-Granted

MOTION, ORDERS AND RESOLUTIONS

08-466-Offered by Vice President Lungo-Koehn

Be it resolved that the City of Medford paint lane lines going through Medford Square in the interest of public safety.

Currently there are no lines to separate the three lanes of traffic coming from 93 into the square, which is going to lead to an automobile accident

Amended by Vice President Lungo-Koehn that and arrow be displayed down the right side lane of Salem St for right turn only onto Forest Street

Upon motion by Councillor Dello Russo as amended-passed

08-483-Offered by Councillor Penta

Be It Resolved that Hallmark Health/Lawrence Memorial Hospital commit to funding the painting of crosswalks and intersection striping throughout the City for the reaming of this year and next year

Upon motion by Councillor Penta on a roll call vote of 5 in the affirmative and 2 absent (Marks, Lungo-Koehn)-passed

08-484-Offered by Councillor Penta

Be It Resolved that I Robert Penta, City Councillor, being on the prevailing side of the vote taken on paper 08-483-, move for reconsideration

Upon motion by Councillor Penta-passed

08-483-Offered by Councillor Penta

Be It Resolved that Hallmark Health/Lawrence Memorial Hospital commit to funding the painting of crosswalks and intersection striping throughout the City for the reaming of this year and next year

Upon motion by Councillor Penta on a roll call vote of 6 in the affirmative and 1 absent (Marks)-passed

08-467-Offered by Councillor Maiocco

Be It Resolved that the appropriate State Transportation Officials in charge of the Green Line Extension be requested to report to the Medford City Council on the collapse of the Northpoint Project, which included a new Lechmere Station, the impact on the status of that project

Upon motion by Councillor Maiocco-passed

08-468-Offered by Councillor Camuso

Be It Resolved that the Mayor submits a Home Rule Petition to the Medford City Council to authorize an early retirement incentive for Fiscal Year 2009 budget that will enable municipal employees to retire early throughout the current fiscal year.

Amended by Councillor Camuso to strike after "Mayor" the words submits a Home Rule Petition to the Medford City Council and insert "considers offering" in its place

Upon motion by Councillor Camuso as amended-passed

08-476-Offered by President Burke

Be it resolved, that the Procurement Director and/or City Solicitor provide an update on the Cell Tower Bid that was received in June, 2008. Further, that the Solicitor advise on what steps the city council needs to take to accept the land adjacent to the MHS field in connection with this bid.

Upon motion by Councillor Maiocco-passed

COMMUNICATIONS FROM THE MAYOR

08-474

July 10, 2008

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve the following transfer of funds for FY '08.

08-474(cont)

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
\$90,000	010-210-5110 Police Salaries	010-210-5480 Police Vehicle Repairs

Sincerely,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:lmc

Upon motion by Vice President Lungo-Koehn on a roll call vote of 6 in the affirmative and 1 absent (Marks)-passed

08-475

July 10, 2008

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve the following transfer of funds for FY '08.

AMOUNT	FROM	TO
\$10,000	010-210-5110 Police Salaries	010-220-5130-1102 Fire Department Overtime
\$1405	010-210-5110 Police Salaries	010-103-5111 Saving Lives Salary

Funds are available due to various vacancies in FY '08. The Saving Lives salary was not sufficiently funded due to an oversight when calculating salary adjustment in FY '08.

Sincerely,
Signature on file w/paper
Michael J. McGlynn,
MAYOR

MJM:Imc

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Marks)-passed

Councillor Maiocco moved for suspension of the rules to address papers in the possession of the City Clerk-passed

08-481

July 15, 2008

To the Honorable President
And Members of the Medford City Council
City Hall
Medford, MA. 02155

Dear Madam President and City Councillors

08-481(Cont)

I respectfully request and recommend that your Honorable Body approve the following transfer of funds to cover deficits to the FY08 budget

AMOUNT	FROM	TO
\$1,000.	010-161-5110 City Clerk Salary	010-101-5125 Legislative Board Stipends
\$4,500.	010-161-5110 City Clerk Salary	010-101-5150 Legislative Fringe Benefits

These transfers are necessary to cover increases to both stipends and travel allowances granted after the fiscal 2008 budget was established

Very truly yours,
Michael J. McGlynn (Signature on file w/paper)
MAYOR

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Marks)-passed

08-480

July 15, 2008

To the Honorable President
And Members of the Medford City Council
City Hall
Medford, MA. 02155

Dear Madam President and City Councillors

I respectfully request and recommend that your Honorable Body approve the following transfer of funds to cover deficits to the FY08 budget

FROM	AMOUNT	TO
010-914-5170-1119 Group Health	\$17,100.00	010-151-5761 (Law Claims)

These transfers are necessary to pay for various law claims expenses which were incurred, but not paid in fiscal 08

Very truly yours,
Michael J. McGlynn (Signature on file w/paper)
MAYOR

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Marks)-passed

08-477-Offered by Councillor Camuso

Be It Resolved that the Department of Public Works repairs the sidewalk at 228 Ashcroft Road and in addition remove the tree stump and replant a new tree at 224 Ashcroft Road.

Upon motion by Councillor Camuso-passed

08-478-Offered by President Burke

Be it resolved, that Supt. Belson/Jack Buckley report back to this body on the status of the closing of the MHS Pool due to a leak and include the cost to repair and expected re-opening date. Further, that the Supt. list the annual renters of the MHS Pool along with the rental payments received for FY08 and projected FY09 via Community Schools revolving account.

Upon motion by Councillor Camuso-passed

08-479-Offered by President Burke

Be it resolved, that Jack Buckley furnish an update on the capital improvements projects at MHS.

Upon motion by Councillor Maiocco-passed

08-485-Offered by Councillor Maiocco

Be It Resolved that the Supt. of Schools and Headmaster in fairness to the student/athlete, the parents and supporters that they report back immediately with the disposition of the current Head Varsity Football Coach at Medford High School

Amended by Councillor Camuso that a decision be made one way or another due to football camp that will starting very soon if the coach is rehired or does the school cut its losses and hire a new coach as soon as possible.

Upon motion by Councillor Maiocco as amended-passed

08-486-Offered by Councillor's Camuso and Maiocco

Be It Resolved that the Medford City Council has a moment of silence and sends its condolences to the family of Jerome "Jerry" Brennan who passed away recently. Mr. Brennan is the husband of former Park Board member OJ Brennan and father of former MHS Varsity Hockey Coach Peter Brennan.

Upon motion by Councillor Maiocco-passed

08-487-Offered by Councillor's Camuso and Maiocco

Be It Resolved that the Medford City Council has a moment of silence and sends its condolences to the family of Nick Call who recently passed away.

Upon motion by Councillor Camuso-passed

08-488-Offered by Councillor Maiocco

Be It Resolved that the Mayor have the appropriate department instruct the gas utility company to repair the 4 sink holes at the intersection of Riverside Ave and Spring Street in the interest of public safety.

Upon motion by Councillor Maiocco-passed

08-489-Offered by Councillor Maiocco

Be It Resolved that the Mayor have the appropriate department cut back the brush and trees falling over the guard rails on Commercial Street in the interest of public safety.

Amended by Councillor Maiocco that John Bavuso, Code Enforcement Officer go down to 4000 Mystic Valley Parkway and evaluate and enforce if necessary the sign ordinances at this location

Upon motion by Councillor Maiocco as amended-passed

08-490-Offered by Councillor Penta

Be It Resolved that the Medford City Council congratulate Eleanor D'Antonio as she celebrates the wonderful occasion of her 90th Birthday

Eleanor is well remembered for her community involvement in the guiding of the Kennedy School and for being an educational staple as Medford High School's most revered secretary to a host of headmasters and principals.

Upon motion by Councillor Penta-passed

08-491-Offered by Councillor Camuso

Be It Resolved that the Mayor and OCD Office contact InBev and Anheuser Busch to find out what the long term plans are for the Riverside Avenue Operational Plant after the upcoming merger.

Upon motion by Councillor Camuso-passed

08-492-Offered by President Burke

Whereas, the City Council passed the FY09 Budget based on certain state estimates

Be It Resolved that the Mayor review final state numbers and reduce the appropriate/revolving accounts by said difference

	Estimate	Actual
Pension A/C 010-910	\$7,959,877	\$7,702,380 <\$257,497>
MWRA Water A/C	\$4,797,200	\$4,727,121 <\$60,089>
MWRA Sewer A/C	\$9,809,102	\$9,335,845 <473,257>

- Per Retirement Board memo dated 6/25/08

Upon motion by Councillor Dello Russo-passed

08-493-Offered by Councillor Dello Russo

Be It Resolved that the Medford City Council offers congratulations to Lt. John Camuso on winning elections to the City's Retirement Board

Upon motion by Councillor Dello Russo-passed

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review will be April 2008
08-268-Six Month Review of Show Cause Hearing Domino's Pizza Sept. 16, 2008

Records:

The Records of the Meeting of June 24, 2008 were passed to Councillor Dello Russo, then Councillor Dello Russo reviewed the records and found them to be in order and be approved-passed

Adjournment:

Councillor Dello Russo motioned that meeting be adjourned at 9:20 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

August 12, 2008

Medford City Council
The Twenty-Third Regular Meeting
Medford, Massachusetts
August 12, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twenty-Third Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL
7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of July 15, 2008 were passed to Councillor Camuso

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

Councillor Camuso motioned for suspension of the rules to take paper 08-512. Home Petition out of order-passed

08-512

August 7, 2008

To The Honorable President and
Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve the attached Home Rule Petition to be sent to the General Court regarding a local option for Early Incentive Retirement.

Respectfully Submitted,
Signature on file w/paper


Mayor Michael J. McGlynn

HOME RULE PETITION

**AN ACT AUTHORIZING THE CITY OF MEDFORD
TO PROVIDE FOR
AN EARLY INCENTIVE RETIREMENT**

08-512(cont)

FOR ITS WORKFORCE

 AN ACT, providing for the workforce reduction of the City of Medford through an early retirement incentive program for certain employees.
Whereas, The deferred operation of this act would tend to defeat its purpose, which is to

provide forthwith for a fair and orderly manner in which the number of employees of the City of Medford can be reduced in order to meet fiscal limitations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

(1) Notwithstanding chapter 32 of the General Laws or any other general or special law to the contrary, this section shall apply to an eligible employee who: (i) shall be an employee of the City of Medford and an active member in service of the City of Medford, but not a member of the State teachers' retirement system; (ii) shall be eligible to receive a superannuation retirement allowance in accordance with subdivision (1) of section 5 of said chapter 32 or subdivision (1) of section 10 of said chapter 32 upon the effective retirement date specified in his written application to the retirement system; (iii) shall have filed a written application with the retirement system in accordance with paragraph (7); and (iv) shall be classified in Group 1, Group 2 or Group 4 in accordance with clause (g) of subdivision (2) of section 3 of said chapter 32.

Notwithstanding this section or any general or special law to the contrary, the executive authority of the City of Medford may designate the municipal departments to which the early retirement incentive program shall apply and the time periods when it shall apply.

(2) for the purposes of this section, "executive authority" shall mean the Mayor of the City of Medford. The early retirement incentive program shall be administered by the Retirement Board of the City of Medford

(3) Notwithstanding said chapter 32 to the contrary, the normal yearly amount of the retirement allowance for an eligible employee shall be based on the average annual rate of regular compensation as determined under paragraph (a) of subdivision (2) of section 5 of said chapter 32 and shall be computed according to the table contained in said paragraph (a) based on the age of such member and his number of years and full months of creditable service at the time of his retirement increased, for an eligible employee who is classified in Group 1, either by adding up to 6 years of age or by adding up to 6 years of creditable service or by a combination of additional years of age and service the sum of which shall not be greater than 6 and for an eligible employee who is classified in Group 2 or Group 4, either by adding up to 3 years of age or by adding up to 3 years of creditable service or by a combination of additional years of age and service the sum of which shall not be greater than 3, but the executive authority of the City of Medford may limit the amount of additional credit for service or age or a combination of service or age offered. The executive authority of the City of Medford may limit the total number of employees for whom it will approve a retirement calculated under this section or the total number of employees within each group classification for whom he will approve a retirement calculated under this section and, if participation is limited, the retirement of employees with greater years of creditable service shall be approved before approval shall be given to employees with fewer years of creditable service.

(4) Words used in this section shall have the same meaning as they are used in said chapter 32 unless otherwise expressly provided or unless the context clearly

requires otherwise. An eligible employee who retires and receives an additional benefit in accordance with this section shall be deemed to be retired for superannuation under said chapter 32 and shall be subject to all of said chapter 32, except that for the purposes of this section and notwithstanding subdivision (1) of section 10 of said chapter 32 requiring a member classified in Group 2 to have attained age 55 on the date of his termination of service in order to receive a Group 2 benefit, any employee eligible pursuant to the criteria established in this section, who is classified in Group 2 and who is at least 50 years of age but not yet 55 years of age, shall be eligible for a retirement allowance equal to that prescribed for a member classified in Group 2 upon the application for the additional benefit in accordance with this section.

(5) The total normal yearly amount of the retirement allowance, as determined in accordance with section 5 of said chapter 32, of an eligible employee who retires and receives an additional benefit under the early retirement incentive program in accordance with this section shall not exceed 80 percent of the average annual rate of his regular compensation received during any period of 3 consecutive years of creditable service for which the rate of compensation was the highest or of the average annual rate of his regular compensation received during the periods, whether or not consecutive, constituting his last 3 years of creditable service preceding retirement, whichever is greater.

(6) Notwithstanding any provision of said section 5 of said chapter 32 that requires a retirement date within 4 months of the filing of an application for superannuation retirement in order to receive the retirement benefit provided by this section, an eligible employee shall file his application for retirement not later than a date determined by the executive authority. The retirement date for eligible employees shall be determined by the executive authority and shall be not earlier than June 30, 2009 and shall be not later than January 15, 2010. The retirement date for any elected official retiring under this section shall not be later than January 15, 2010. The date of retirement for employees of the Retirement Board of the City of Medford shall be 30 days after the retirement date determined by the executive authority of the City of Medford.

(7) The executive director of the public employee retirement administration commission shall analyze, study and value the costs and the actuarial liabilities attributable to the additional benefits payable in accordance with the early retirement incentive program established by this section for the retirement system of the City of Medford. The executive director shall file a report of his findings to the board, in writing, on or before December 31, 2009, together with copies thereof to the Mayor of the City of Medford.

(8) In accordance with section 22D of said chapter 32, the retirement board of the City of Medford shall revise its retirement funding schedule to reflect the costs and the actuarial liabilities attributable to the additional benefits payable under the retirement incentive program in accordance with this section. In each of the fiscal years until the actuarial liability determined under this section shall be reduced to zero, it shall be an obligation of the City of Medford to fund such liability and there shall be appropriated to the applicable pension reserve fund in each such fiscal year the amount required by the funding schedule and the updates thereto.

(9) Employees of the retirement board shall have the same rights and privileges of the early retirement incentive program as provided in this section under the same terms and conditions of that retirement program.

(10) The Legislature of the Commonwealth of Massachusetts may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

(11) This act shall take effect upon its passage

Respectfully Submitted,

Mayor Michael J. McGlynn,

The members of the Medford City Council voting approval for the Home Rule Petition entitled, "AN ACT AUTHORIZING THE CITY OF MEDFORD TO PROVIDE FOR AN EARLY INCENTIVE RETIREMENT FOR ITS WORKFORCE", are as follows, each of whom has affixed her or his signature to this Petition which consists of five (5) pages in its entirety.

President Stephanie Muccini Burke

Vice President Breanna Lungo

Paul A. Camuso, Jr.

Frederick N. Dello Russo

Robert A. Maiocco

Michael J. Marks

Robert M. Penta

Commonwealth of Massachusetts

Middlesex, ss

August 12, 2008

I, Edward P. Finn, hereby certify that I am the duly appointed City Clerk of the City of Medford and I certify and attest that the document herein is a true copy of the Home Rule Petition passed by the City Council of the City of Medford on August 12, 2008 by a vote of _____ in favor and _____ in the negative.

Attest:

Edward P. Finn

(City Seal)

Addressing the Council
Mark Rumley, City Solicitor
Anne Baker, City Auditor
Richard Lee, Administrative Aid to the Mayor

Amended by Councillor Marks, That Mr. Lee provide a breakdown on who is eligible by department.

Upon motion by Councillor Camuso as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Vice President Lungo motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08- 501 Petition by Carlos and Eunice Depena, 34 Amaranth Avenue d/b/a Café Pizzarelli at 679 Fellsway West, Medford, for a Common Victualler License.

On File

Business Certificate # 193
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Letter of Compliance
Workman's Compensation

Upon motion by Councillor Marks-Granted

08-506-Petition by MBTA for installation of Bus Stop Signs in North Medford

Medford City Council
c/o City Clerk Mr. Edward Finn
85 George P. Hassett Drive
Medford, MA 02155

July 24, 2008

Dear Councillors

08-506(cont)

The MBTA is seeking permission to install 16 bus stop signs in the Fulton Street area of North Medford and to enlist the support of the City of Medford to enable us to continue to provide service to the residents of Fulton St., who would otherwise have no public transport service.

MBTA Private Carriers Bus Routes 710 operates service between North Medford and the Meadow Glen Mall/Super Stop & Shop via Medford Square and was recently extended to Wellington Station during peak periods. This bus service dates back to the 1930's, the route has changed a little over the years, as has the operator, but the MBTA has been subsidizing the route since 1987. Joseph's Limousine and Transportation are the current operators of the service. The vehicle in operation on this route is a single 20 seat mini bus.

Ridership on the route is low and the MBTA hopes to help promote the service with a marketing plan that includes but is not limited to new bus stop signage, addition of the route to existing MBTA stop signs (completed in June 2008), enhanced web support, decals on the buses (July 2008) and the recent extension to Wellington Station (July 1, 2008). A copy of the Summer 2008 schedule and map is attached for reference. Please note that even though we are providing stop signs, the service will continue to operate as a stop on request service, where safe to do so. The signs will function as both a safe stopping point and a means of making people aware that there is a bus service in the area. A list of proposed locations is provided below with associated map and photos in the attached documents. Locations have been strategically selected for high traffic/visibility areas, safety and availability of existing street furniture upon which the stop signs can be mounted. We understand that we need to seek permission from National Grid to mount signs to utility poles listed below. Upon receipt of your approval and comments for this proposal, we will contact National Grid regarding same. Where an existing pole is not available we propose installing a standard MBTA stop pole (2" wide x 2" long x 11 ft tall delineated pole)

The MBTA would like this proposal to be presented at the upcoming August 12, 2008, City Council Meeting. In the meantime we are happy to meet with any City Council Representative to discuss this proposal further

If you have any question or comments, please do not hesitate to contact Sandra Clarey in Service Planning at sclarey@mbta.com or at 617-222-1623

Sincerely,
James M. Folk
Director of Operations and Service Development

Addressing the Council
Sandra Clarey, MBTA Service Planning

Amended by Councillor Penta that all bus stop locations be restriped and painted

Amended by Councillor Penta that the MBTA provide the locations of all bus stops in the City

Amended by Councillor Penta that the MBTA tag, ticket and tow all violators who park in bus stops

Amended by Councillor Penta that the MBTA install signs at all bus stop locations

Amended by Councillor Penta that the MBTA be subject to a 3 month review of all amendments and the petition for signage

Amended by Councillor Marks that the MBTA provide the Council with the current ridership in North Medford and in the future a report on increase of ridership

Amended by Councillor Penta that the MBTA report if it going to tack on additional assessments and appropriations to the City.

Amended by Councillor Marks, That the MBTA report to the Council on the process of installing a Bus Stop Shelter

Upon motion by Councillor Camuso as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Penta motioned for suspension of the rules to take paper 08-507- out of order-passed

08-507-Offered by Councillor's Maiocco and Penta

Be It Resolved that the Medford City Council commend Medford Attorney Victor J. Garo on being selected by the American Bar Association for the Edmund Muskie Award on his Pro Bono Work for 30 years in the Joseph Salvati case.

Upon motion by Councillor Maiocco-passed

08-509-Petition by Ken Krause, 50 Mystic St., and Doug Carr, 124 Boston Ave., to address the council to present a citizen petition in support of a Green Line station at Route 16.

Addressing the Council
Ken Krause, 50 Mystic St
Doug Carr, 124 Boston Ave
Elizabeth Bayle, 34 Emory St
Melissa Bennett, 1526 Mystic Valley Parkway
Carolyn Rosen, 25 Bussell Rd
Dr. William Woods, 25 Bussell Rd
Gwen Blackburn, Arlington St
Tom Katcavage, 118 Harvard Ave
Fred Crane, 69 Boston Ave
Russell weitz-edrvin, 40 Greenleaf
Jim Morse, 51 Metcalf St

Upon motion by Councillor Dello Russo to receive and place on file-passed

MOTION, ORDERS AND RESOLUTIONS

08- 502- Offered by Vice President Lungo-Koehn

City of Medford CALL TO THE ELECTION For State Primary Tuesday, September 16, 2008

BE IT ORDERED: that the City Clerk be and is hereby authorized and directed to notify and warn such of the inhabitants of the City of Medford, as were qualified by law to vote for candidates at the State Primary on Tuesday, September 16, 2008 to assemble at the polling places in their respective wards and precincts, then and there to

give in their votes for: Senator in Congress, a Representative in Congress from the 7th Congressional District; a GOVERNOR'S COUNCILLOR from the 6th District; a Senator in General Court from the 2nd Middlesex District; a REPRESENTATIVE in the General Court from the 23rd, 34th, and 35th Middlesex District; and a Register of Probate from Middlesex County and such other vacancies as may exist or occur; and the polls of said State Primary shall open at 7:00 A.M. and remain open until 8:00 P.M.

BE IT FURTHER ORDERED: that the following named polling places be and they are hereby designated for use at the State Primary on September 16, 2008. Polls open at 7:00 A.M. and close at 8:00 P.M.

Voting Precincts

Ward 1	Precinct 1	Andrews Middle School, 3000 Mystic Vly. Pkwy.
Ward 1	Precinct 2	Fire Fighter's Club, 340 Salem St.
Ward 2	Precinct 1	St. Francis Parish Center, Fellsway & Fulton St. Entrances
Ward 2	Precinct 2	Roberts Elementary School. 35 Court St. (Park St Entrance)
Ward 3	Precinct 1	Lawrence Memorial Hospital, 170 Governors Ave.
Ward 3	Precinct 2	Temple Shalom, 475 Winthrop St.
Ward 4	Precinct 1	Tufts University, Gantcher Center Rear, 161 College Ave
Ward 4	Precinct 2	Tufts University, Gantcher Center Rear, 161 College Ave
Ward 5	Precinct 1	Columbus Elementary School, 37 Hicks Ave.
Ward 5	Precinct 2	Columbus Elementary School, 37 Hicks Ave.
Ward 6	Precinct 1	Brooks Elementary School, 388 High St.
Ward 6	Precinct 2	Walkling Ct., Auburn St. & North St. Entrances
Ward 7	Precinct 1	Mystic Valley Towers/North Building Entrance
Ward 7	Precinct 2	McGlynn K-8 Public School, 3004 Mystic Vly. Pkwy.
Ward 8	Precinct 1	Senior Center, 101 Riverside Ave.
Ward 8	Precinct 2	V/F/W – 114 Mystic Ave.

Upon motion by Vice President Lungo-Koehn-passed

08-503- Offered by Councillor Camuso

Be It Resolved that the Medford City Council offers its sincere condolences to the family of Charlotte Contardo, long time Medford resident and grandmother to Allison Goldsberry

Upon motion by Councillor Camuso-passed

08-504- Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Richard Eckert Jr. who recently passed away. Mr. Eckert is the son of Barbara and City of Medford employee Richard Eckert Sr.

Upon motion by Councillor Camuso-passed

Councillor Maiocco motioned for suspension of the rules to take paper regarding condolences-passed

08-515-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council that the Medford City Council offer its sincere condolences to the family of Mr. Henry Steele on his recent passing. Henry was a long time Medford resident, Veteran and father to Robert Steele, Medford Park Policeman.

Upon motion by Councillor Maiocco-passed

Councillor Maiocco motioned to revert back to regular order of business-passed

08-505-Offered by President Burke

Be it resolved, that Mass Highway or the DCR install a handicap accessible sidewalk at the location of the crosswalk on Route 16 at the Condon Shell in the interest of public safety.

Upon motion by Councillor Camuso-passed

08-508-Offered by Councillor Maiocco

Be it resolved that that representatives from Verizon be invited the Sept 23rd. council meeting regarding offering Fios cable to citizens of Medford.

Amended by President Burke that the City solicitor report back on the usage of fiber optic cable formally owned by Metromedia to deliver cable/fios to that area of Medford

Amended by Councillor Penta that the Mayor send to the meeting a representative from his office and member of the cable commission.

Upon motion by Councillor Maiocco as amended-passed

08-510-Offered by Councillor Marks

Whereas the Telecommunications Act of 1996 section 704 allows communities to reserve their rights over the general placement, construction and modification of cell towers and

Whereas there is no city ordinance that governs cell towers or public hearing for resident input and

Whereas residents are concerned about property devaluation and potential health endangerment due to exposure of radio frequency emissions then

Be it resolved that cell towers be added to existing language in the ordinances of Medford that regulate the use of TV and Radio towers in the interest of public participation and public safety.

Amended by Councillor Penta to add and or any other electronic equipment

Amended by Councillor Penta that the Building Commissioner report to the locations that were issued out permits for cell tower and what is the assessment on each tower

Amended by Councillor Maiocco that the Building Commissioner hold up on issuing out any further permits for cell towers until an amendment is created through the zoning ordinance.

Upon motion that the paper be referred to the City Solicitor to draft up an ordinance and also refer the paper to the Sub Committee on Zoning-passed

08-511-Offered by Councillor Marks

Be it resolved that the pavement around the manhole cover in front of 59 Sheridan Ave be repaired in the interest of public safety.

Upon motion by Vice President Lungo-Koehn-passed

08-513-Offered by Councillor Camuso

Be It Resolved that the Commissioner of public works and Director of Human Diversity review all crosswalks throughout the City as well as the one in front of Gaffey's Funeral Home for sidewalk handicap accessibility.

Upon motion by Councillor Camuso-passed

08-514-Offered by Vice President Lungo-Koehn

Be It resolved that the Chief of Police review the policy of police cars left idling in front of residents homes.

Upon motion by Vice President Lungo-Koehn-passed

Councillor Maiocco motioned to take paper 08-482 out of unfinished business-passed

08-482-_____ Loan Order \$600,000. Constructing & Reconstructing Sidewalks

IN COUNCIL	JULY 15, 2008	Passed to take its First Reading
ADVERTISED	JULY 24, 2008	TRANSCRIPT

Upon motion by Councillor Camuso that the Loan Order take its 3rd and final reading on a roll call vote of 7 in the affirmative and 0 in the negative-Ordained

08-381-Six Month Review SPC Extended Hours Spring ST. Superette, October 28, 2008

Records:

The Records of the Meeting of July 15, 2008 were passed to Councillor Camuso, then Councillor Camuso reviewed the records and found them to be in order and be approved-passed

Adjournment:

Councillor Camuso motioned that meeting be adjourned at 9:56 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

September 23, 2008

Medford City Council
The Twenty-Fourth Regular Meeting
Medford, Massachusetts
September 23, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twenty-Fourth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present 1 Absent (Penta)
Councillor Penta recorded present at 7:10 PM

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of August 12, 2008 were passed to Councillor Dello Russo

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

Councillor Marks motioned for suspension of the rules to address paper 08-546, response from the City Solicitor to the "No Knock Ordinance"-passed

08-386-Offered by Councillor Marks to forward response of No Knock Ordinance to Sub Committee on Licensing-

Upon motion by Councillor Marks-passed

Councillor Dello Russo motioned for suspension of the rules to take papers 08-531 and 08-532 out of order-passed

08-531

**CITY OF MEDFORD
NOTICE OF A PUBLIC HEARING**

Public hearing will be held by the Medford City Council in Howard F. Alden Memorial Auditorium, City Hall, 85 George P. Hassett Drive, Medford, Massachusetts, on Tuesday Evening, September 23, 2008 at 7:00 P.M. on a petition by Donald Crecco, DGC Auto Body, Inc. for a Special Permit petition 08-531 pursuant to Chapter 94, Zoning Ordinances of the City of Medford, Section 94-148, Use No. 37, to operate an Automotive Repair and Auto Body Establishment at 146R Mystic Avenue, Medford, MA. said site being located in a C-2 Zoning District.

Petition and plans may be seen in the Office of the City Clerk, City Hall, Medford, Massachusetts.

08-531(Cont)

Call 393-2501 for any accommodations/aids. T.D.D. 393-2516.

The City of Medford is an EEO/AA/504 Employer.

By order of the City Council.

s/Edward P. Finn
City Clerk

Advertised in Medford Daily Mercury September 8 and September 15, 2008

Those in Favor-Donald Crecco, 100 Sydney St
Those in Opposition-None
This portion of the hearing is closed

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-Granted

08-532

**CITY OF MEDFORD
NOTICE OF A PUBLIC HEARING**

Public hearing will be held by the Medford City Council in Howard F. Alden Memorial Auditorium, City Hall, 85 George P. Hassett Drive, Medford, Massachusetts, on Tuesday Evening, September 23, 2008 at 7:00 P.M. on a petition by Donald Crecco, DGC Auto Body, Inc for a Class 4 Automotive Repair and Auto Body License at said location 146R Mystic Ave, Medford, MA. 02155
On File

Business Certificate # 219
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Letter of Compliance
Workman's Compensation

Those in Favor-Donald Crecco, 100 Sydney St
Those in Opposition-None
This portion of the hearing is closed

Upon motion by Councillor Marks on a roll call vote of 7 in the affirmative and 0 in the negative-Granted

Councillor Penta motioned for suspension of the rules to allow a citizen to speak on his complaint to resolve issues surrounding youths playing basketball by his house on Greenhagle St.-passed

08-555-Offered by Councillor Penta

Be It Resolved that the Chief of Police and Mayor report back to the Council and the resident within 1 week on his complaint on youths disturbance in front of his house on 44 Greenhagle St. (Richard Cole)

Upon motion by Councillor Penta-passed

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-530 out of order-passed

08-530

**CITY OF MEDFORD
NOTICE OF A PUBLIC HEARING**

A Public hearing will be held by the Medford City Council in Howard F. Alden Memorial Auditorium, City Hall, 85 George P. Hassett Drive, Medford, Massachusetts, on Tuesday Evening, September 23, 2008 at 7:00 P.M. on a petition from Ruth Janet Guzman, 11 Oakland St., Medford, for a Special Permit to conduct a Body Art Establishment in accordance with the City of Medford Zoning Ordinance Chapter 94, sec. 94-2 and section 94-192D Use 14A to operate its business at 11 Oakland St., Medford, MA. On said site being located in a (C-1) Commercial 1 Zoning District.

Petition and plans may be seen in the Office of the City Clerk, City Hall, Medford, Massachusetts.

Call 393-2501 for any accommodations/aids. T.D.D. 393-2516.

The City of Medford is an EEO/AA/504 Employer.

By order of the City Council.

s/Edward P. Finn
City Clerk

Advertised in Medford Daily Mercury September 8 and September 15, 2008

Those in Favor-Attorney Robert Abruzese, 92 High St., Maria Mogavaro, 38 Wason St.
Those in Opposition- Phylis Rosborough, 21 Century St., Sam Musto, 18 Oakland St #2., Annette Bloom,
10 Oak Bluff., Sylvia Kramer 60 Pleasant St., Brian Dickson, Governors Ave., Rocco Dirico, 26 Oakland
St., George McGonagle, 49 Oakland St.,

This portion of the hearing closed.
Addressing the Council
Janet Guzman, 11 Oakland St
Attorney Robert Abruzese, 92 High St.,
Sam Musto, 18 Oakland St
Phylis Rosborough, 21 Century St

Upon motion by Councillor Dello Russo to Table, so that the residents and petitioner can meet-Tabled

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

HEARINGS

O8-529

CITY OF MEDFORD NOTICE OF A PUBLIC HEARING

A Public hearing will be held by the Medford City Council in Howard F. Alden Memorial Auditorium, City Hall, 85 George P. Hassett Drive, Medford, Massachusetts, on Tuesday Evening, September 23, 2008 at 7:00 P.M. on a petition from Burger King Corporation, 383 Mystic Avenue, Medford, MA, 02155 for a Special Permit to amend its Hours of Operation in accordance with Medford Zoning Ordinance Chapter 94, sec. 94-145 to operate extended hours at its business a 383 Mystic Avenue, Medford, MA. On said site being located in a Commercial 2 (C-2) Zoning District as follows:

Extended Hours of Operation Requested

Monday through Sunday (7 Days of the Week) 1:00 AM to 7:00 AM

Petition and plans may be seen in the Office of the City Clerk, City Hall, Medford, Massachusetts.

Call 393-2501 for any accommodations/aids. T.D.D. 393-2516.

O8-529(cont)

The City of Medford is an EEO/AA/504 Employer.

By order of the City Council.

s/Edward P. Finn
City Clerk

Advertised in Medford Daily Mercury September 8 and September 15, 2008
Those in Favor-John Lopez, 851 Broadway, Everett, Store Manager
Those on Opposition-Carolyn Rossetti, Alexander Ave., Mary Briley, 106 Alexander Ave.

Addressing the Council
John Lopez, Store Manager

Upon motion of Councillor Penta to table the paper, until the General Manager appears before the Council-Tabled

08-508- Verizon, New England, represented by Stan Usovicz to discuss FIOS in Medford per Council Resolution 08-508 August 12th Meeting.

Addressing the Council
Stan Usovicz, Verizon
Joe Bruno
Mark Crowley

Amended by Councillor Maiocco that the Medford City Council go on record once again in support of Verizon FIOS being offered in the City of Medford and that this be forwarded to Verizon President Donna Cappella and Vice President of External Affairs Peter Bowman.

Upon motion by Councillor Maiocco as amended on a role call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Marks motioned for suspension of the rules to allow a citizen address the Council on the democratic delegates for Register of Probate Office on the ballot-passed

Addressing the Council-Jim Morse-delegate

Councillor Dello Russo motioned to take 08-530 out of unfinished business-passed

08-530 _____ Hearing for Special Permit, Use Body Art 11 Oakland St.

IN COUNCIL SEPTEMBER 23, 2008 TABLED

Addressing the Council-Attorney Robert Abruzese, 92 High St

Upon motion by Councillor Dello to table the paper until Oct 21, 2008-Tabled

Councillor Camuso motioned for suspension of the rules to allow a resident of Burget Ave to address the Council-passed

08-556-Offered by Councillor Camuso

Be It Resolved that the Building Commissioner address the complaint by the resident of 27-29 Burget Ave., the water overflow by her next door neighbor on the installation of artificial turf grass next to her property.

Upon motion by Dello Russo-passed

Councillor Penta motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-535- Petition for a reversal of sign permit denial OCD application 2008-32H by VRL Realty Trust, Patriot Donuts, LLC d/b/a Dunkin Donuts at 275 Mystic Avenue, Medford.

Addressing the Council, Nick and Vincent Leo, Proprietors

Amended by Councillor Maiocco that the Mayor report back if he or OCD has been contacted on the disposition of the Staples Property that currently houses Dunkin Donuts, Staples and Pizza Hut.

Upon motion by Councillor Penta as amended-Granted

08-536- Petition by Patriot Donuts LLC dba Dunkin Donuts 275 Mystic Avenue, Medford for a Common Victualler License.

On File

Business Certificate # 227

Petition

Building Dept.

Fire Dept.

Health Dept.

Traffic Impact

Treasurer

State Tax Form

Letter of Compliance

Workman's Compensation

Corporation papers

Upon motion by Councillor Marks-Granted

08-537- Petition by Steve Cloutier, President for Medford Pop Warner at Hormel Stadium 97 Locust St., Medford for a Common Victualler License. (Concession area)

On File

Business Certificate # 243
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Letter of Compliance
Workman's Compensation

Upon motion by Councillor Marks-Granted

08-538- Petition by Hyosang Cho, 9 Captain Parker Arms, #2, Lexington, MA for a Cleaning & Dyeing Establishment License at 256 Spring Street, Medford.

On File

Business Certificate # 240
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Letter of Compliance
Workman's Compensation

Upon motion by Councillor Marks to Table-Tabled

08-539- Petition by Abraham Cruz, 18 Woodville Terrace, Malden, MA 02148 for Common Victualler License at 123-125 Boston Avenue, Medford.

On File

Business Certificate # 225
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Letter of Compliance
Workman's Compensation

Upon motion by Councillor Marks-Granted

Councillor Camuso motioned for suspension of the rules to take paper 08-548 out of order-passed

08-548- Offered by Vice President Lungo-Koehn

Be it resolved that Tufts University be notified of the problems on Bowdoin Street in Medford.

Addressing the Council: Resident of 45 Adams St.

Amended by Vice President Lungo-Koehn, That the Chief of Police respond back on what residents of the students who have Off Campus Housing should do when they need to call in a complaint: Call the Medford Police so they can enforce, or call Tufts Police so they can enforce, or call both.

Amended by Councillor Camuso that the Building Commissioner go to 35 Adams ST. to investigate how many non related people are living at this address and if they are compliance with City Ordinances

Amended by Vice President Lungo-Koehn that Barbara Rubel provide the Council with a listing of Off Campus Housing for Tufts Students and what is being done through her Office or the Dean of Students on disturbances in the neighborhoods that house these students.

Upon motion by Vice President Lungo-Koehn as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

MOTION, ORDERS AND RESOLUTIONS

08-540-Offered by President Burke

Be it resolved, that the Mayor request that the Sheriff have his inmate clean team clean up the sidewalk on Winthrop Street from Medford High to intersection of Playstead Rd

Upon motion by Councillor Maiocco-passed

08-541-Offered by President Burke

Whereas, the handicap swing is broken at Morrison Park along with the tire swing being removed and not replaced, Be it resolved, that the handicapped swing be repaired and that the Park Dept look into installing a few baby swings or regular swings in lieu of the tire swing in the interest of public safety and enjoyment.

Upon motion by Councillor Maiocco-passed

08-542-Offered by Councillor Camuso

Be it Resolved that the Medford City Council presents Official Citations and congratulates the recent retirees from the Medford Police Department. This years retirees are:

Lt. Larry Groves
Sgt. William Murray
Officer Bill Grassia
Officer Mike Indigaro
Officer Peter Dussault

Upon motion by Councillor Camuso-passed

08-543-Offered by Councillor Camuso

Be it Resolved that the DPW repair the large pothole on High Street at the corner of Auburn Street in the interest of Public Safety.

Amended by Councillor Camuso that the DPW Commissioner report as to who owns the hole and make them pay for the restoration

Upon motion by Councillor Camuso as amended-passed

08-544-Offered by Councillor Camuso

Be it Resolved that the City of Medford performs an energy audit on all municipally owned property.

Amended by Vice President Lungo-Koehn that Mayor look into Park Lights being turned off at certain times to save on energy cost

Amended by Councillor Camuso that Mayor and the President look at putting together a committee on energy saving ideas

Upon motion by Councillor Camuso as amended-passed

08-549-Offered by Vice President Lungo-Koehn

Be it resolved that the Traffic Commission place a right turn arrow on Salem Street in Medford Square, where the traffic has the option of taking a right onto Forest Street.

Amended by Councillor Camuso that the Traffic Commission look into additional signage in and around the ERA Andrew Realty Intersection.

Upon motion by Vice President Lungo-Koehn as amended-passed

08-550-Offered by Councilor Penta

Be it resolved that the issue of Parking on Municipal property be discussed.

Upon motion by Councillor Penta to Table-Tabled

08-545-Offered by Councillor Camuso

Be it Resolved that the Medford City Council sends its sincere condolences to the family of Fred Jordan who passed away recently. Mr. Jordan is the brother of City of Medford employee Ralph Jordan and the uncle of Medford Local 1032 President Rick Jordan.

Upon motion by Councillor Camuso-passed

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the President-passed

08-554-Offered by Councillor Marks

Be it resolved that a moment of silence be held for long time Medford resident Jerry DeCristofaro on his recent passing. Mr DeCristofaro was a Lieutenant in the Medford Fire Department and served in WWII.

Upon motion by Councillor Marks-passed

08-562-Offered by Councillor Maiocco and Penta

Be It Resolved that the Medford City Council offer its sincere condolences to the family of Jerry DeCristofaro on his recent passing, Jerry was long time Medford resident and Lt. in the Medford Fire Department

Upon motion by Councillor Maiocco-passed

Councillor Penta motioned to revert back to regular order of business-passed

COMMUNICATIONS FROM THE MAYOR

08-534

REQUEST FOR EXPENDITURE FROM LAW DEPARTMENT CLAIMS OVER \$1,000.00 ACCOUNT #010-151-5762

Date: September 11, 2008

To: The President and Members of the
Honorable Medford City Council

Fr: Michael J. McGlynn, Mayor (signature on file)

Claimant Name: Michelle Gerety – File #08-64

Date of Accident: May 12, 2008

Date of Settlement: September 3, 2008

Date of Trial Result: NA

Amount of Request: **\$4,000.00**

Claimant's Attorney: Sean M. Beagan

Description of Alleged Claim:

The claimant, Michelle Gerety, 40 Cedar Road, Medford, MA seeks compensation for injuries she suffered as a result of an alleged sidewalk defect located in the vicinity of 380 Lawrence Road, on May 12, 2008. As a result of her fall, she suffered multiple abrasions and contusions to her face and nose and damage to her teeth. She received immediate dental treatment for her injuries at the offices of Richard Sorbera, DDS and Shibley Malouf, DDS and consultative dental services at the office of Stephen M. Lentine, DMD. Her out-of-pocket dental bills were in excess of \$2,300.00 with the possibility of an additional \$3,750 - \$8,000 in future dental costs. The necessary Releases have been obtained from the claimant.

Breakdown to Amount Requested:

Medical Cost: -0-
Lost Wages: -0-
Property Damage: -0-
Other: \$4,000.00
Total Settlement: \$4,000.00

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 absent (Marks)-passed

08-546

To: Honorable Medford City Council
From: Michael J. McGlynn, Mayor
Date: September 12, 2008
Re: Metro Boston Multi-Hazard Mitigation Plan-Medford Annex

I respectfully request that the Medford City Council vote to adopt the Metro Boston Multi Hazard Mitigation Plan "Medford Annex" dated August 2008. All municipalities that wish to be eligible from FEMA funds for hazard mitigation must adopt a plan

The plan was prepared by MAPC and funded by a grant from FEMA's Pre-Disaster Mitigation Grant Program. It is a component of the Metropolitan Boston Area plan

08-546(cont)

Michael J. McGlynn (Signature on file w/paper)
Mayor

Upon motion by Councillor Maiocco - ADOPTED

08-551

**REQUEST FOR EXPENDITURE FROM LAW DEPARTMENT CLAIMS OVER
\$1,000.00 ACCOUNT #01-161-532**

Date: September 18, 2008

To: The President and Members of the
Honorable Medford City Council

Fr: Michael J. McGlynn, Mayor (Signature on file with paper)

Claimant Name: The Hingham Group- File #08-25
Date of Accident: February 10, 2008
Date of Settlement: August 26, 2008
Date of Trial Result: NA

Amount of Request: **\$6,548.05**
Claimant's Attorney: None

Description of Alleged Claim:

The claimant, The Hingham Group Insurance Companies, as subrogee for its insureds, Albert and Colleen McNeil, 16 Gilson Avenue, Medford, MA, seeks compensation for repairs made to the McNeil home and property which was allegedly struck, by a DPW sander which had lost traction on the icy roadway and slid into their home during a snowstorm. The accident occurred on February 10, 2008. The full replacement cost of the damage to the McNeil home was initially estimated by The Hingham Group at \$15,548.23. The case was settled prior to entry of legal proceedings. The necessary Releases have been obtained from the claimant.

Breakdown to Amount Requested:

Medical Cost:	-0-
Lost Wages:	-0-
Property Damage:	\$6,548.05
Other:	-0-
Total Settlement:	\$6,548.05

Upon motion by Councillor Camuso on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Dello Russo motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-553-Offered by Councillor Dello Russo

Be It Resolved that the City of Medford preserve the status quo regarding the use of uniformed police officers for paid details.

Amended by Councillor Camuso that the Mayor look into raising the Administrative fee on details to all Utility Companies, not including City or school work.

Amended by Councillor Dello Russo that the paper be sent to the City Solicitor for refinement of language that would preserve the current status of details in light of the Governors proposal.

Upon motion by Councillor Dello Russo as amended-passed (President Burke-Opposed)

08-557-Offered by Councillor Marks

Be It Resolved that the Massachusetts Bay Transportation Authority update the City Council on the current status of the Urban Ring Project and any impact it will have on Medford residents and traffic at Wellington Circle

Amended by Councillor Marks that a member of the Urban Ring Project and Paul Ellis update the Council at upcoming Council Meeting

Upon motion by Councillor Marks-passed

08-558-Offered by Councillor Camuso and Dello Russo

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Barbara Halmkin who passed away recently. Mrs. Halmkin is the mother of Sheila McGlynn and Mother-Law to Mayor McGlynn

Upon motion by Councillor Camuso-passed

08-559-Offered by Councillor Camuso

Be It Resolved that Jack Buckley provide the Council with copies of all studies pertaining to the MHS Pool by either the City or the School Department

Upon motion by Councillor Camuso-passed

08-560-Offered by Members of the City Council

Be It Resolved that the City Clerk issue a Show Cause Hearing in accordance with MGL Chapter 40, section 57 b to the 3 underground storage licenses on Salem Street for revocation of license due tax delinquency with advance notice 14 days before hearing date.

Amended by Councillor Maiocco that the Treasurer/Collector report back to the Council on action he has taken in regards to the delinquent taxes

Upon motion by Councillor Penta as amended-passed

08-561-Offered by President Burke

Be It Resolved that Jack Buckley report back to the Council on where the \$50,000 from Pool/Water Separation will be re-allocated to.

Upon motion by Councillor Camuso-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

6-755 _____ **Council endorse letter to State Delegation re; Tax Abatement for Disabled**

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

8-366- Legislative action to prevent the taking of any taxpayer private residential property in Medford with the expansion of the Green Line into Medford

IN COUNCIL MAY 6, 2008 TABLED

08-449- Taxi-operator license John Thomas, 44 Everett St., Everett

IN COUNCIL JUNE 24, 2008 TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review
08-268-Six Month Review of Show Cause Hearing Domino's Pizza
08-381-Six Month Review SPC Extended Hours Spring ST. Superette, October 28, 2008

Records:

The Records of the Meeting of August 12, 2008 were passed to Councillor Dello Russo, then Councillor Dello Russo reviewed the records and found them to be in order and be approved-passed

Adjournment:

Councillor Dello Russo motioned that meeting be adjourned at 10:20 P.M.

A true copy
Attest

Edward P. Finn

City Clerk

September 30, 2008

Medford City Council
The Twenty-Fifth Regular Meeting
Medford, Massachusetts
September 30, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twenty-Fifth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL
7Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of September 23, 2008 were passed to Vice President Lungo-Koehn

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

Councillor Penta motioned for suspension of the rules to take paper 08-550 out of unfinished business-passed

08-550 Parking on Municipal Property

IN COUNCIL

SEPTEMBER 23, 2008

TABLED

Addressing the Council-Police Chief Leo Sacco

Amended by Councillor Penta, that the Members of the Off Street Parking Commission appear before the City Council at an upcoming meeting and prior to the meeting present to the Council a most recent article with a description on rates and who can park where.

Amended by Councillor Maiocco that the Traffic Commission, Off Street Parking Commission and the Mayor Parking Committee meet together to discuss traffic patterns, parking enforcement, municipal and commuter parking throughout the city.

Upon motion by Councillor Penta as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Camuso motioned for suspension of the rules to allow Chief Sacco address the Council on the situation on Greenhagle St-passed

Addressing the Council-Chief Leo Sacco

Councillor Camuso motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-564-Petition for a Common Victualler License by Alan LaCapria for Stop and Shop at 760 Fellsway, Medford, MA.

On File

Business Certificate # 246
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Letter of Compliance
Workman's Compensation
Corporation papers

Addressing the Council Alan LaCapria, 111 Princeton St., General Manager

Amended by Councillor Penta that City Clerk forward copies of special permit papers from Stop and Shop a few years ago

Amended by Councillor Maiocco that Fellsway Plaza Trust, Owners of the property formally occupied by Happy Haddock and AW Electronics clean and maintain the property.

Upon motion by Councillor Marks as amended-Granted

Councillor Marks motioned for suspension of the rules to take paper 08-449 out of unfinished business-passed

08-449- Taxi-operator license John Thomas, 44 Everett St., Everett

IN COUNCIL

JUNE 24, 2008

TABLED

Upon motion by Councillor Marks-Granted

Councillor Marks motioned to revert back to regular order of business-passed

MOTION, ORDERS AND RESOLUTIONS

08-565- Offered by Councillor Camuso

Be it Resolved, that the DPW trims the tree on the corner of Cobb Street and Fulton Spring Road in the interest of Public Safety.

Upon motion by Councillor Camuso-passed

08-566-Offered by Councillor Maiocco

Be It Resolved, that the Mayor be requested to update the Council on the City's fiscal condition

At this time Vice President Lungo-Koehn assumed the Chair

Upon motion by Councillor Maiocco-passed

08-567-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council congratulate former Assessor Robert Delfino and his wife Rita on their Happy 50th Wedding Anniversary

Upon motion by Councillor Maiocco-passed

08-568-Offered by President Burke

Whereas, the City of Medford enacted Division 3-Private Streets-sec. 74-91. temporary repairs of private ways, which includes the funding mechanism for street repairs to private ways to include a 50% match by abutters of the private way,

Whereas, there is no offset or credit in the tax rate to the residents of private ways who assist in the funding of other public way repairs,

Whereas, this resolve was previously submitted as 08-243

Be it ordained , that the following amendment be made to Division 3-Private Streets-Sec. 74-91: that sub-section (6) and (7) be deleted in its entirety

Amended by Councillor Maiocco that the Mayor look into if Linkage can be used as a funding source to cover the repaving of private ways

Amended by Councillor Camuso that the Mayor providing a listing of those individuals dating back to 1991 who paid the 50% portion to have their private way street repaved.

Amended by Councillor Camuso that the City Solicitor report back to the Council if linkage money can be used to refund those individuals who paid their portion of the 50% to have their streets repaved.

President Burke motioned to have the following amendment severed.-passed

Amended by Councillor Camuso that the Mayor if funding becomes available, that we do refund those individuals who in the past had their streets repaved with past ordinance of 50%, so it is fair and equitable across the board to all taxpayers

Upon motion by Councillor Camuso on a roll call vote of 2 in the affirmative (Camuso, Marks) and 5 in the negative-Amendment Failed

Upon motion by Councillor Marks as amended that the revised ordinance take all its three (3) readings on a roll call vote of 7 in the affirmative and 0 in the negative-Ordained

COMMUNICATIONS FROM THE MAYOR

08-563-

REQUEST FOR EXPENDITURE FROM LAW DEPARTMENT CLAIMS OVER \$1,000.00 ACCOUNT #010-161-532

Date: September 24, 2008

To: The President and Members of the
Honorable Medford City Council

Fr: Michael J. McGlynn, Mayor (signature on file)

Claimant Name: Commerce Insurance- File #08-51

Date of Accident: February 22, 2008

Date of Settlement: July 30, 2008

Date of Trial Result: NA

Amount of Request: **\$3,000.46**

Claimant's Attorney: None

Description of Alleged Claim:

The claimant, Commerce insurance, as subrogee for its insured, Anthony Lopilato, 30 Doonan Street, Medford, MA, seeks compensation for payment made to their insured's parked car which was allegedly struck, by a DPW plow driven by Claude Muzarol during a snowstorm. The accident occurred on February 22, 2008. The total cost of the damage paid by Commerce for repair of their insured's vehicle was \$6,000.91. (Two of Lopilato's parked cars were damaged in this incident; one claim has already been paid and this request resolves the second claim.) The case was settled prior to entry of legal proceedings. The necessary Releases have been obtained from the claimant.

Breakdown to Amount Requested:

Medical Cost:	-0-
Lost Wages:	-0-
Property Damage:	\$3,000.46
Other:	-0-
Total Settlement:	\$3,000.46

Upon motion by Councillor Dello Russo with 7 in the affirmative and 0 in the negative-passed

President Burke from the floor motioned for suspension of the rules to take paper 08-569 out of order-passed

08-569-Offered by President Burke

Be it resolved, that in the interest of public safety, the tree that is blocking public access to the sidewalk on North Street (near bridge and Boston Ave) be trimmed.

Upon motion by President Burke from the floor-passed

08-570-Offered by President Burke

Be It Resolved that the Keno to Go petition for Fred’s Auto by the MA. State Lottery Commission be requested for a 30 day extension.

Upon motion by President Burke-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

6-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

	IN COUNCIL	JANUARY 8, 2008	TABLED
<u>8-366-</u>	Legislative action to prevent the taking of any taxpayer private residential property in Medford with the expansion of the Green Line into Medford		
	IN COUNCIL	MAY 6, 2008	TABLED
<u>08-449-</u>	Taxi-operator license John Thomas, 44 Everett St., Everett		
	IN COUNCIL	JUNE 24, 2008	TABLED
<u>08-530</u>	SPC Hearing, Janet Guzman, 11 Oakland, Use Body Art		
	IN COUNCIL	SEPTEMBER 23, 2008	TABLED (OCT. 21, 2008)
<u>8-529</u>	SPC Hearing, Burger King Corp, 383 Mystic Ave, Extended Hours		
	IN COUNCIL	SEPTEMBER 23, 2008	TABLED
<u>08-550</u>	Parking on Municipal Property		
	IN COUNCIL	SEPTEMBER 23, 2008	TABLED
<u>08-538</u>	Cleaning & Dyeing License, Val's Cleaners 256 Spring St.		
	IN COUNCIL	SEPTEMBER 23, 2008	TABLED
		<u>Public Participation</u>	
	COUNCIL PAPERS IN COMMITTEE		

Reports Due/ Deadlines

<p>05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006 07-072-Intercept Program 07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review Oct 27, 2008 08-268-Six Month Review of Show Cause Hearing Domino's Pizza Oct 27, 2007 08-381-Six Month Review SPC Extended Hours Spring ST. Superette,</p>

Records:

The Records of the Meeting of September 23, 2008 were passed to Vice President Lungo-Koehn, then Vice President Lungo-Koehn reviewed the records and found them to be in order and be approved-passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 9.02 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

October 7, 2008

Medford City Council
The Twenty-Sixth Regular Meeting
Medford, Massachusetts
October 7, 2008

City Council

President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twenty-Sixth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6Members Present
1 Absent (Penta)

Councillor Penta recorded present at 7:15 P.M.

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of September 30, 2008 were passed to Councillor Maiocco

Those Present and seated inside the hall were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-574-Communication from the Mayor regarding Wind Turbine Grant-passed

08-574

October 6, 2008

To: The President and Members of the
Medford City Council

From: Michael J. McGlynn

Re: Grant in the amount of \$100,000.00 from Energy Consumers Alliance of New
England, Inc., d/b/a Mass Energy

Dear Madam President and Members of the Medford City Council

In accordance with the provisions of G.L. c. 44 Section 53A, I respectfully request and recommend that your Honorable Body approve the acceptance of a grant in the amount of \$100,000.00 from Energy Consumers Alliance of New England Inc., d/b/a Mass Energy

If you accept this grant, the funds will be expended in accordance with the agreement between the City of Medford and Mass Energy dated October 2, 2008

Respectfully Submitted
Mayor Michael J. McGlynn (Signature on file w/paper)

Addressing the Council
Patricia Barry, Environmental Officer, City of Medford
Mark Rumley, City Solicitor

Amended by Councillor Maiocco that the City Auditor look at the numbers of this grant and any other funds and report back on the impact to the loan order

Amended by Councillor Marks that the City expand and extend an outreach to the Homes Owners as part of the \$25,000, energy saving opportunity concepts as an option with Mass Energy

Upon motion by Councillor Maiocco as amended on a roll call vote of 7 in the affirmative and 0 in the negative-Accepted

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-571- Petition for a reversal of sign permit denial ON OCD application #2008-30 by Bill Kazanjian, owner of Avey Art Display for Members Plus Credit Union at 29 High St. Medford.(Projecting time and temperature sign)

Addressing the Council
Patrick Carney, Director
Bill Avery, Avery Signs

Upon motion by Councillor Penta-Granted

MOTION, ORDERS AND RESOLUTIONS

08-572-Offered by Councillor Maiocco

Be It Resolved that the Mayor be requested to have the proper departments cease the issuance of permits to allow Rooftop Cell Towers, until all public safety aspects can be reviewed.

Addressing the Council-John Byers, College Ave

Amended by Councillor Penta that the Building Commissioner provide the a Council with a detailed list of all locations of Cell Towers and Transmissions in the City and that the Assessor provide to the Council the assessment for each location and if not assessed when does the assessor anticipate assessment to take place.

Amended by Councillor Penta that a Committee of the Whole takes place with Building Commissioner to discuss the issue of Cell Towers

Amended by Councillor Maiocco that if an electrical permit has been issue for a cell tower that permits be suspended.

Amended by Councillor Dello Russo that the Health Director Karen Rose report back to the Council if there is any health issue from the placement of Cell Towers and their transmission of service

Amended by Councillor Marks that the Chairperson of the Sub Committee on Zoning review his resolution that is in the Sub Committee on Zoning regarding ordinance change regarding cell towers.

Upon motion by Councillor Maiocco as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

COMMITTEE REPORTS

08-573-Sub Committee on Licensing, Meeting Report from September 30, 2008 regarding "Do Not Knock Registry Ordinance"

08-573

SUB COMMITTEE ON LICENSING MEETING REPORT TUESDAY, SEPTEMBER 30, 2008

ATTENDEES: Michael Marks, Chair, Paul Camuso and Robert Penta, Committee, Robert Maiocco, Stephanie Muccini Burke, Breanna Lungo-Koehn, Mark Rumley, Cheryl white, Rob Barry

Councillor Marks motioned that the following be instituted:

Be it resolved, that the Revised Ordinances of the City of Medford be amended by the addition of new Sections 14-315, 14-316 and 14-317 entitled "Do Not Knock Registry" Sec. 14-315. "Do Not Knock Registry".

- (a) The City Clerk shall prepare a list of addresses of those premises where the owner and/or occupant has notified the Clerk that a door-to-door salesperson, hawker, peddler or any other person, including corporate or business entities, wishing to sell wares or services in all districts, in locations which are not stationary are not permitted on the premises (hereinafter referred to as the "Do Not Knock Registry"). Notification shall be by completion of a form available at the City Clerk's office during normal business hours.

- (b) The City Clerk shall distribute the current "Do Not Knock Registry" to a person or entity licensed under Sec. 14-311 at the time of issuance of the license. The licensee shall not peddle, canvass, or conduct door-to-door sales at any premises identified on the then current "Do Not Knock Registry".

- (c) Any canvasser, peddler, itinerant vender or owner or employee of a door-to-door sales enterprise who violates any provision of this section shall be:
 - 1) Subject to an ordinance violation fine of \$300.00 per offense and/or
 - 2) Subject to a one-year revocation of any license issued pursuant to the within article.

Sec. 14-316 Enforcement.

It shall be the duty of any police officer of the City of Medford or the City of Medford Code Enforcement Officer or an inspector of the building department as designated by the building commissioner, to enforce the provisions of this article.

All "not for profit" organizations, as approved by the Internal Revenue Service and/or the Charitable Division of the Attorney Generals Office of the Commonwealth of Massachusetts or approved fraternal organizations shall be exempt from the provisions of this article.

Sec. 14-317 Records.

The City Clerk shall maintain a record of all licenses issued under the provisions of this article and shall record therein all convictions for violations of this article and other pertinent circumstances and incidents reported by the Chief of Police.

Upon motion by Councillor Marks that the Committee Report be adopted and that the ordinance 3 readings be waived on a roll call vote of 6 in the affirmative and 1 absent (Camuso)-Adopted/Ordained

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-575-Offered by Councillor Marks

Be It Resolved that a moment of silence be held for lifelong Medford resident and Dentist Dr. Albert Cangiano on his recent passing

Upon motion by Councillor Marks-passed

08-576-Offered by Councillor Marks

Be It Resolved that the tree at 77-79 First St., be removed on the interest of public safety.

Upon motion by Councillor Marks-passed

08-577-Offered by Councillor Dello Russo

Be It Resolved that the Medford City Council offers its congratulations to Reginaldo (Richard) and Jeanette Raso on the wonderful occasion of their 50th wedding anniversary.

Upon motion by Councillor Dello Russo-passed

08-578-Offered by Councillor Marks

Be It Resolved that the Medford City Council commend and congratulate St. Joseph Parish for celebrating 125 years of community building and outreach to all Medford residents.

Upon motion by Councillor Marks-passed

08-579-Offered by Councillor Marks

Be It Resolved that the Medford City Council commend and congratulate St. Joseph Parish Mother's Club for celebrating 60 years of developing social opportunities and encouraging a cooperative spirit among parents, children, faculty and St. Joseph Parish

Upon motion by Councillor Marks-passed

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

6-755 Council endorse letter to State Delegation re; Tax Abatement for

Disabled

IN COUNCIL _____ **OCTOBER 24, 2006** **TABLED**

IN COUNCIL _____ **OCTOBER 23, 2007** **TABLED**

07-332-Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

8-366- Legislative action to prevent the taking of any taxpayer private residential property in Medford with the expansion of the Green Line into Medford

IN COUNCIL MAY 6, 2008 TABLED

08-530 SPC Hearing, Janet Guzman, 11 Oakland, Use Body Art

IN COUNCIL SEPTEMBER 23, 2008 TABLED
(OCT. 21, 2008)

8-529 SPC Hearing, Burger King Corp, 383 Mystic Ave, Extended Hours

IN COUNCIL SEPTEMBER 23, 2008 TABLED

08-538 Cleaning & Dyeing License, Val's Cleaners 256 Spring St.

IN COUNCIL SEPTEMBER 23, 2008 TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
07-484-SPC Extended Hours Pranzi's, Winthrop St. 3 month Review –Oct 28, 2008
08-268-Six Month Review of Show Cause Hearing Domino's Pizza –Oct 28, 2008
08-381-Six Month Review SPC Extended Hours Spring ST. Superette, Nov. 11, 2008
2008

Records:

The Records of the Meeting of September 30, 2008 were passed to Councillor Maiocco, Councillor Maiocco then amended the records on page 156, resolution 08-568 that

“Maiocco be changed to Marks” then Councillor Maiocco reviewed the records as amended and found them to be in order and be approved- passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 8:22 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

October 14, 2008

Medford City Council
The Twenty-Seventh Regular Meeting
Medford, Massachusetts
October 14, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twenty-Seventh Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 Absent (Camuso)

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of October 7, 2008 were passed to Councillor Marks

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-582 out of order-passed

8-582- Offered by Councillor Lungo-Koehn

Be it resolved that the Administration update the council on the status of the bill regarding "Municipal Employees, being Activated and Deployed to a Combat Theater".

Addressing the Council, Rick Jordan, President Firefighters Local

Amended by Vice President Lungo-Koehn that Mr. Lee prepare for the Council what the cost is if the City adopts the Cambridge Plan.

Upon motion by Vice President Lungo-Koehn that the paper be referred to the Committee of the Whole-passed

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-580- Petition to Address the Council by Beth Lucey and other Tenants of 65 Riverside Ave., Medford regarding the recent ticketing of tenant's vehicles.

Addressing the Council-Elizabeth Lucey, 65 Riverside Ave

08-580(cont)

Amended by Vice President Lungo-Koehn that the Off Street Parking Commission and Chief Sacco provide signage in the back of 65 Riverside Ave that indicated 2 hour parking between the hours of 6:00 AM to 7:00 PM, with no limit after 7:00 PM

Amended by Councillor Penta that all ticketing in that section be suspended until the proper signage is displayed and notification on what is allowed.

Amended by Councillor Maiocco that the Building Commissioner contact Hamilton Realty to request that the 35 parking spaces be returned to the tenants of 65 Riverside Ave and not be eliminated as indicated to the tenants and that Hamilton Realty post signage on their property for parking purposes for tenants.

Amended by Vice President Lungo-Koehn that the Chief of Police and Off Street Parking Commissioners report back to the Council promptly on the outcome.

Upon motion by Councillor Maiocco as amended-passed

08-581-

Petition by Enso Germain 7A Martin Street, Apt 2, Medford, for a Taxi Operators License.

Upon motion by Councillor Marks to Table-Tabled

Councillor Marks motioned for suspension of the rules to take paper 08-538 out of unfinished business and papers in the possession of the City Clerk-passed

08-538 Cleaning & Dyeing License, Val's Cleaners 256 Spring St.

IN COUNCIL

SEPTEMBER 23, 2008

TABLED

Upon motion by Councillor Marks-Granted

08-583-Offered by President Burke

Be It Resolved that in the interest of public safety, that Mass Highway inspect the street lights at the Route 93 North exit on to Mystic Valley Parkway (from exit to cross walk at foot bridge) as not on in evening hours.

Amended by Councillor Penta that Mass Highway examines the lights at Exit 33 entering Roosevelt Circle if they are in proper working condition.

Upon motion by Councillor Maiocco as amended-passed

08-584-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council commend and congratulate Fr. Kevin G. Toomey, Pastor of St. Raphael's Church on the wonderful occasion of celebrating his 30th year in the priesthood and wish him many more.

Upon motion by Councillor Maiocco-passed

08-585-Offered by Councillor Maiocco

Be It Resolved that the Medford City Council thank the Members Plus Credit Union for beautifying Medford Square with the flower arrangement in front of their parking lot and further that the Mayor have the appropriate department remove all the dead trees and weeds around the tree beds in Medford Square and all other squares in Medford.

Amended by Councillor Penta that the Mayor or Commissioner of Public Works report back to the Council on the street and curbing work being done by the Main Street Police Station on where the funding on this project comes from.

Upon motion as amended by Councillor Maiocco-passed

08-586-Offered by President Burke

Be It Resolved that the Medford City Council congratulate the MHS Golf Team and Cross Country Team on their successful season and wish them well on the upcoming tournaments.

Upon motion by Councillor Maiocco-passed

08-587-Offered by Councillor Penta

Be It Resolved that Colonial Nissan be informed that their employees should not be parking on residential streets such as Whyte and streets opposite their location and that parking should be provided on site for their employees

Upon motion by Councillor Penta-passed

08-268-Six Month Review of Show Cause Hearing Domino's Pizza –Oct 28, 2008
08-381-Six Month Review SPC Extended Hours Spring ST. Superette,

Records:

The Records of the Meeting of October 7, 2008 were passed to Councillor Marks, Councillor Marks then reviewed the records and found them to be in order and be approved- passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 7:50 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

October 21, 2008

Medford City Council
The Twenty-Eighth Regular Meeting
Medford, Massachusetts
October 21, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Twenty-Eighth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 Absent (Penta)
Councillor Penta reported present at 7:01 PM

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of October 14, 2008 were passed to Councillor Penta

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger and Rob Barry, Medford Transcript.

Televised by Channel 16-Government Access

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-594-Petition by Paul DeSantis, Sign Art, 60 Sharon Street, Malden on behalf of Pizzeria Regina, 44 Station Landing for a reversal of sign denial on OCD Application 2008-37, exceeds number of allowed signs (awning)

Amended by Councillor Maiocco that Kent Gonzales of National Development report back to the Council on what can be done to alleviate the speeding/and potential danger around the bend in front of Starbucks on both sides of the private street/lot

Upon motion as amended by Councillor Penta-Granted

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS (Cont)

08-588-Massachusetts State Lottery Commission offering "KENO To Go" to agent, Fred's Auto Service Center 385 Mystic Avenue

Massachusetts State Lottery Commission

60 Columbian Street
Braintree, Massachusetts 02184-1738

Licensing Fax: (781) 849-5656

TIMOTHY P. CAHILL
Treasurer and Receiver General

MARK J. CAVANAGH
Executive Director

September 12, 2008

City of Medford
Licensing Board, C/C Rm 204
85 George P. Hassett Drive
Medford, MA 02155

Dear Sir/Madam:

The Massachusetts State Lottery Commission is offering existing non-pouring agents our exciting new product KENO To Go, a transaction which is identical to the already existing on-line games, such as Megabucks and Mass Cash. The Lottery is not providing agents with Keno monitors as part of this program.

In accordance with M.G.L. c 10, section 27A, as amended, you are hereby notified that there are existing agents in your community that are qualified to apply for KENO To Go. A list of qualified agents is attached. If you object to these agents selling KENO To Go, you must do so, in writing, within twenty-one (21) days of receipt of this letter.

Please address your written objection to Charles McIntyre, General Counsel, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184. Should you have any questions regarding this program or any other issue relative to the Lottery, please call me at 781-849-5555 or send your inquiry via email to kenoletters@masslottery.com. I look forward to working with you as the Lottery continues its' efforts to support the 351 cities and towns of the Commonwealth.

Sincerely,


Mark J. Cavanagh
Executive Director

Certified Mail – Return
Receipt Requested: 7005 1820 0006 3753 8560

RECEIVED
SEP 30 2 33 PM '08
CITY CLERK
MEDFORD, MASS.

Attached: 30 Day extension from Oct. 1, 2008

Upon motion by Councillor Penta to Table-Tabled

MOTION, ORDERS AND RESOLUTIONS

08-589-Offered by Vice President Lungo-Koehn

**City of Medford
Call for
State Election
Tuesday, November 4, 2008**

BE IT ORDERED: that the City Clerk be and he is hereby authorized and directed to notify and warn such of the inhabitants of the City of Medford, as were qualified by law to vote for candidates at the State Election on Tuesday, November 4, 2008, to assemble at the polling places in their respective wards and precincts, then and there to

08-589 Cont.

give in their votes for: a PRESIDENT AND VICE PRESIDENT; a UNITED STATES SENATOR; a CONGRESSMAN from the 7th Congressional District; a GOVERNOR'S COUNCILLOR from the 6th District; a STATE SENATOR from the 2nd Middlesex

District; a REPRESENTATIVE in the General Court from either the 23rd, 35th or 34th Middlesex District; a REGISTER OF PROBATE from Middlesex County; and such other vacancies as may exist or occur; all questions that appear on the ballot, and the polls of said State Election shall open at 7:00 A.M. and remain open until 8:00 P.M.

BE IT FURTHER ORDERED: that the following named polling places be and they are hereby designated for use at the State Election on November 4th, 2008.

Voting Precincts

Ward 1	Precinct 1	Andrews Middle School, 3000 Mystic Vly. Pkwy.
Ward 1	Precinct 2	Fire Fighter's Club, 340 Salem St.
Ward 2	Precinct 1	St. Francis Parish Center, Fellsway & Fulton St. Entrances
Ward 2	Precinct 2	Roberts Elementary School. 35 Court St. (Park St Entrance)
Ward 3	Precinct 1	Lawrence Memorial Hospital, 170 Governors Ave.
Ward 3	Precinct 2	Temple Shalom, 475 Winthrop St.
Ward 4	Precinct 1	Tufts University, Gantcher Center Rear, 161 College Ave
Ward 4	Precinct 2	Tufts University, Gantcher Center Rear, 161 College Ave
Ward 5	Precinct 1	Columbus Elementary School, 37 Hicks Ave.
Ward 5	Precinct 2	Columbus Elementary School, 37 Hicks Ave.
Ward 6	Precinct 1	Brooks Elementary School, 388 High St.
Ward 6	Precinct 2	Walkling Ct., Auburn St. & North St. Entrances
Ward 7	Precinct 1	Mystic Valley Towers/North Building Entrance
Ward 7	Precinct 2	McGlynn K-8 Public School, 3004 Mystic Vly. Pkwy.
Ward 8	Precinct 1	Senior Center, 101 Riverside Ave.

Ward 8 Precinct 2 V/F/W – 114 Mystic Ave.

Upon motion by Vice President Lungo-Koehn-passed

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-530 out of unfinished business-passed

08-530 SPC Hearing, Janet Guzman, 11 Oakland, Use Body Art

IN COUNCIL

SEPTEMBER 23, 2008

TABLED

(OCT. 21, 2008)

Addressing the Council

Attorney Robert Abrusese, 92 High St

Janet Guzman, Petitioner

Catherine Wilson, Park St., Stoneham

Phylis Rosborough, 21 Century St.

Brian Dickson, Governors Ave

Barbara McGonagle, 49 Oakland St

Janet Luca, Prince St, Boston

Inez Perez, Revere

Amended by Vice President Lungo-Koehn that the Special Permit stays with the Petitioner and not the land

Amended by Vice President Lungo-Koehn that the petitioner Ms. Guzman is the only person doing the cosmetic procedure

Amended by Vice President Lungo-Koehn and Councillor Maiocco that the procedure be restricted to permanent cosmetic from the neck up only

Amended by Vice President Lungo-Koehn that the Petitioner maximize the petitioners lot for additional parking spaces

Upon motion by as amended by Vice President Lungo-Koehn on a roll call vote of 6 in the affirmative and 1 in the negative (Camuso)-Granted

08-602-Offered by Councillor Maiocco

Be It Resolved that the Chief of Police looks into lifting the restriction on parking on the right hand side on the road on Oakland Street on the day of worship

Upon motion by Councillor Maiocco-passed

Councillor Marks motioned for suspension of the rules to take 08-581 out of unfinished business-passed

08-581-

Petition by Enso Germain 7A Martin Street, Apt 2, Medford, for a Taxi Operators License.

IN COUNCIL

OCTOBER 14, 2008

TABLED

Upon motion by Councillor Marks-Granted

Councillor Marks motioned to revert back to regular order of business-passed

08-590-Offered by Councillor Marks

Be It Resolved that the City immediately repair the pot holes on Yale Street that were left from the water pipe re-construction done in July and August in the interest of public safety

Upon motion by Councillor Marks-passed

08-591-Offered by Councillor Marks

Be It Resolved that the City engineer provide the Council with a detailed report outlining the amount of unaccounted for water and a break down listing where this water is going

Amended by Councillor Dello Russo that the Commissioner of public works report back to the Council what would the cost be to reline the water and sewer pipes.

Amended by Councillor Maiocco that the City Engineer present to the Council a tier rate system that can be voted on.

Upon motion by Councillor Dello Russo as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-592-Offered by President Burke,

Be it resolved, that the Zoning Sub Committee review the "Official Zoning Map" of the city to determine if certain areas should be reclassified due to nature of the area.

Upon motion by Councillor Camuso to refer to Sub Committee on Zoning-passed

08-593-Offered by President Burke,

Be it resolved, that the Zoning ordinances of the City of Medford be amended to delete the allowance of Body Art Establishments from C-1 zoning district by replacing "SPC" to "NO"

Upon motion by Councillor Penta to refer to Sub Committee on Zoning-passed

08-595 - Offered by President Burke

Whereas, the lack of affordable housing exists both in Medford and throughout the state,
Whereas, regulations issued by the Dept. of Housing & Community Development allow for "accessory apartments" constructed after 7/1/2002 to count on the Subsidized housing inventory list,
Be it resolved, that the subcommittee on zoning and the sub committee on Taxation look into zoning for said "accessory apartments" known as in-law apartments and that some sort of tax incentive/abatement be created to generate additional interest in this program.

Amended by Councillor Penta that Assessor report back with his opinion on how and how much these properties would be taxed

Upon motion by Councillor Penta to refer to Sub Committee on Zoning as amended-passed

08-596-Offered by Councillor Penta

Be It Resolved that the issue of specially qualified voters be discussed

Upon motion by Councillor Penta to refer to City Solicitor with a report back on how the current at place system can be changed-passed

08-597-Offered by Councillor Penta

Be It Resolved that the issue of Question 1 be discussed

Upon motion by Councillor Camuso to receive and place on file-passed

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-601-Offered by Councillor Marks

Be It Resolved that the Medford High School Boys Varsity Soccer Team be commended for emerging victorious from this weekend's Greater Boston League world Cup Tournament to become the first ever GBL world Cup Tournament Champion.

Upon motion by Councillor Marks-passed

08-603-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Karen Vasques who passed away recently.

Upon motion by Councillor Camuso-passed

08-604-Offered by Councillor Penta

Be It Resolved that the Mayor and OCD Director report back to the Council on where the funding mechanism will be coming from for the reconstruction of Clippership Drive as it relates to hearing by Mass Highway on November 5th.

Upon motion by Councillor Penta-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

6-755 **Council endorse letter to State Delegation re: Tax Abatement for Disabled**

Edward P. Finn
City Clerk

November 18, 2008

Medford City Council
The Thirtieth Regular Meeting
Medford, Massachusetts
November 18, 2008

City Council
President Stephanie Muccini Burke
Vice President Breanna Lungo-Koehn
Paul A. Camuso
Frederick N. Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

President Stephanie Muccini Burke called the Thirtieth Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL
7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of October 28, 2008 were passed to Vice President Breanna Lungo-Koehn

Those Present and seated inside the hall were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Rob Barry, Transcript

Televised by Channel 16-Government Access

Vice President Lungo-Koehn motion for suspension of the rules to take paper 08-619 out of order-passed

Councillor Camuso motioned for suspension of the rules to take paper 08-624 out of order-passed

08-619- Offered by Vice President Lungo-Koehn

Be it Resolved that the administration update the Council, as well as the City of Medford, on its intent on implementing the summer Park League Program in the summer 09. For the last few years, finding out the program's details the day before it is to start has been detrimental to preparation, advertising and staff moral. Now more than ever the children of the City of Medford NEED this summer program. I would encourage those who are deciding on its fate do not let our kids down.

Addressing the Council
Julie, 24 Valley St.

Amended by Vice President Lungo-Koehn that the Mayor consider 5-7 parks be installed with the program.

Upon motion by Vice President Lungo-Koehn as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-624-Offered by Councillor Camuso

Be it Resolved that the Medford City Council works in conjunction with the Mayor to come up with a long term plan to revitalize and utilize the Chevalier Auditorium.

Councillor Camuso submitted for the record a letter from Tom Lincoln on recommendations.

Addressing the Council
May Marquebreuck, 16 Glenwood Rd
Ken Krause, 50 Mystic St. (submitted document on funding)

Amended by Councillor Camuso that the Mayor fill the vacancies on the Commission

Amended by Councillor Camuso that a Ad Hoc Committee be established by the Mayor to conduct an evaluation and make recommendations on the facility to enhance the Auditorium

Amended by Councillor Camuso that the OCD Director look into funding by the Mass Cultural.

Upon motion by Councillor Camuso as amended-passed

Councillor Camuso motioned to revert back to regular order of business-passed

08-268-Six (6) Month Review of Current Extended Hours of Operation, Domino's Pizza 199c Mystic Avenue, Henry Askew President

Addressing the Council-Henry Askew, President

Upon motion by Councillor Penta that the paper be received and placed on file-passed

HEARINGS

08-598-

LOCATION OF POLES, ATTACHMENT OF FIXTURES AND UNDERGROUND CONDUITS

MEDFORD, MASSACHSUSETTS

CITY CLERK'S OFFICE

You are hereby notified that by order of the Medford City

Council, A Public

Hearing will be given at the **Howard F. Alden Memorial Auditorium, 85 George P. Hassett Drive, City Hall Medford, Massachusetts** at **7:00 P.M.**, on **TUESDAY, November 18, 2008** on a petition by Verizon

of New England for permission to construct and locate a line of wires, cables, poles and fixtures including the necessary anchors, guys and other sustaining and protecting fixtures, along and across the following public way or ways.

Sylvia Road: Place one (1) solely owned pole No. 5039 on southerly side approximately 6 Feet from intersection with Main Street.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location and permission to erect and maintain a line of wires, cables and poles, together with anchors, guys and other such sustaining fixtures as it may find necessary, said poles to be erected substantially with the plan filed herewith marked Verizon New England Inc., No P2008-011 Dated April 28, 2008

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The Petitioner agrees to reserve space for one cross arm at a suitable point on each of said poles for the fire and police telephone and telegraph signal wires belonging to the municipality and used by its exclusively for municipal services.

Approved – Chief Engineer w/provision that the petition be for pole only and that there be a five (5) foot diagonal clearance between the pole and existing wheelchair ramp.
Before installation the contractor notifies Dig Safe and obtains a permit from the engineer Department. The contractor shall be responsible for the restoration to City of Medford standards of disturbed areas, including replacement of affected sidewalk panels. The contractor shall be responsible for removal of all debris.

Approved – Supt. of Wires

Call 781-393-2501 for any accommodations/aids. T.D.D. #781-393-2516

s/ Edward P. Finn

City Clerk

Plans can be viewed in City Clerk's Office
781-393-2425

Those in Favor –Everette Bryan, Manager Rights of Way, Verizon
Those in Opposition-None
This portion of hearing closed

Upon motion by Councillor Marks-Granted

08-599-

**LOCATION OF POLES, ATTACHMENT OF FIXTURES AND UNDERGROUND
CONDUITS**

MEDFORD, MASSACHUSETTS

CITY CLERK'S OFFICE

You are hereby notified that by order of the City Council,

a Public

Hearing will be given at the **Howard F. Alden Memorial Auditorium, 85 George P. Hassett Drive, City Hall, Medford, Massachusetts at 7:00 P.M.**, on

TUESDAY, November 18, 2008 on a petition of National Grid and Verizon New England Inc. for permission to locate poles, wires and fixtures including the necessary sustaining and protecting fixtures, along and across the following public way.

Frederick Avenue: Relocation of one (1) pole #2706

Wherefore it prays that they be granted joint relocation for and permission to erect, maintain poles and wires, with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the Plan filed herewith marked National Grid and Verizon New England Inc., WR#741333 Dated 05/24/08

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purpose.

Approved – Chief Engineer w/Provision that for Pole relocation only, Contractor contacts Dig Safe and obtains permits from Engineering Department. Contractor responsible for restoration to City standards and to remove all debris.

Approved- Supt. of Wires

Call 393-2501 for any accommodations/aids. T.D.D. #393-2516

s/Edward P. Finn

City Clerk

Plans can be viewed in City Clerk's Office

781-393-2425

Those in Favor –Everette Bryan, Manager Rights of Way, Verizon, Wassem Dabag, National Grid
Those in Opposition-None
This portion of hearing closed

Upon motion by Councillor Marks-Granted

08-600-

**LOCATION OF POLES, ATTACHMENT OF FIXTURES AND UNDERGROUND
CONDUITS
MEDFORD, MASSACHUSETTS
CITY CLERK'S OFFICE**

You are hereby notified that by order of the City Council,

a Public

Hearing will be given at the **Howard F. Alden Memorial auditorium, 85 George P. Hassett Drive, City Hall, Medford, Massachusetts at 7:00 P.M.**, on **TUESDAY, November 18, 2008** on a petition of National Grid for permission to locate poles, wires and fixtures including the necessary sustaining and protecting fixtures, along and across the following public way.

Barnard Road-Installation of one (1) S.O. wood guy pole #3380-1 with a anchor and guy.

Wherefore it prays that they be granted joint relocation for and permission to erect, maintain poles and wires, with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked National Grid WR#4291505 Dated 05/15/08
Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purpose.

Approved- Chief Engineer w/Provision that it be provided adequate sidewalk clearance is maintained per Architectural Access Board (AAB) requirements (min 3ft-3inches) and no underground utilities are adversely impacted. Contractor contacts Dig Safe and obtains permits from Engineering Department. Contractor responsible for restoration to City standards and to remove all debris

Approved- Supt. of Wires

Call 393-2501 for any accommodations/aids. T.D.D. #393-2516

s/ Edward P. Finn

City Clerk
Plans can be viewed in City Clerk's Office
781-393-2425

Those in Favor –Waseem Dabag, Operation Engineer, National Grid
Those in Opposition-None
This portion of hearing closed

Upon motion by Councillor Marks-Granted

08-615-

LOCATION OF POLES AND ATTACHMENT OF FIXTURES

MEDFORD, MASSACHUSETTS

CITY CLERK'S OFFICE

You are hereby notified that by order of the City Council, a Public Hearing will be given at the **Howard F. Alden Memorial Auditorium, 85 George P. Hassett Drive, City Hall, Medford, Massachusetts** at **7:00 P.M.**, on **TUESDAY, November 18, 2008** on a petition of National Grid of 170 Medford Street, Malden, MA for permission to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public or ways hereinafter named. Wherefore it prays that after due notice and hearing as provided by law, it may be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity. Said underground conduits to be located substantially in accordance with the plan filed herewith marked National Grid Company, Plan No. U.G. WR#4291515 Dated 05/14/08.

The following are the streets and highways referred to:

Orchard St.—Installation of one (1) S.O. wood guy pole 1084-1 with sidewalk anchor and guy

Approved – Chief Engineer w/ provision that no underground utilities are adversely impacted, contractor contact Dig Safe, obtain a permit from the engineering department, and be responsible for the restoration to City standards of disturbed areas, including replacement of affected concrete sidewalk panels and the removal of all debris.

Approved – Supt. of Wires

Call 393-2501 for any accommodation/aids. T.D.D. #393-2516

s/ Edward P. Finn

City Clerk

Plans can be viewed in City Clerk's Office
781-393-2425

Waseem Dabag, Operational Engineer, National Grid request to withdraw the petition without prejudice-Motion by Councillor Marks to accept-passed

08-616-

LOCATION OF POLES AND ATTACHMENT OF FIXTURES

MEDFORD, MASSACHUSETTS

CITY CLERK'S OFFICE

You are hereby notified that by order of the City Council,

a Public Hearing

Will be given at the **Howard F. Alden Memorial Auditorium, 85 George P. Hassett Drive, City Hall, Medford, Massachusetts** at **7:00 P.M.**, on **TUESDAY, November**

18, 2008 on a petition of National Grid of 170 Medford Street, Malden, MA for permission to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public of ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it may be Granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity. Said underground conduits to be located substantially in accordance with the plan filed herewith marked National Grid Company, Plan No. U.G. Wr#5i33229 Dated 08/28/08.

The following are the streets and highways referred to:

**Winthrop Street.—Installation of +/- 5' of 2-4 conduit and miscellaneous
Underground equipment at #51**

Approved – Chief Engineer w/ provision that no underground utilities are adversely impacted, contractor contact Dig Safe, obtain a permit from the engineering department, and be responsible for the restoration to City standards of disturbed areas, including replacement of affected concrete sidewalk panels and the removal of all debris.

Approved – Supt. of Wires

Call 393-2501 for any accommodation/aids. T.D.D. #393-2516

s/ Edward P. Finn

City Clerk

Plans can be viewed in City Clerk's Office
781-393-2425

Those in Favor –Waseem Dabag, Operation Engineer, National Grid
Those in Opposition-None
This portion of hearing closed

Upon motion by Councillor Marks-Granted

Councillor Maiocco motioned for suspension of the rules to take the Committee of the Whole report regarding Double Poles and past petitions by National Grid out of order-passed

08-629

**Committee of the Whole
Meeting Report
November 18, 2008**

Attendees: President Burke, Vice President Lungo Koehn, Councillor's' Camuso, Maiocco, Dello Russo, Marks, Dan Cameron, Everette Bryan

The purpose of the meeting was to review double poles by the utility companies in the city as well as past petitions for Grants of Locations and current petitions appearing the City Council Agenda of November 18, 2008

Recommendations:

1. Report out of Committee Petitions 08-389 and 08-390
2. Report back by the New Supt. Of Wires his operational plan on the removal of 75 fire alarms on existing doubles poles that are scheduled to be removed
3. National Grid provide an monthly update on the removal of double poles
4. That National Grid investigates on the 31 South St., the partially bent pole and to rectify and or remove.

Upon motion by Councillor Maiocco that the report be adopted-Adopted

08-389-National Grid Petitions for Blake Street

Upon motion by Councillor Marks-Granted

08-390-National Grid Petition for Sheridan Ave

Upon motion by Councillor Marks-Granted

Councillor Marks motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-608-Petition by Steven Joseph Garrett 165 Elm Street, Everett, MA 02149 for a Taxi Operators License.

Upon motion by Councillor Marks-Granted

08-609-Petition by Enzo DiFilippo 200 North Street, Danvers, MA 01923 for a Taxi Operators License.

Upon motion by Councillor Marks-Granted

08-610-Petition by Leo S. Puleio 92 Tibbettstown Way, Charlestown, MA 02129 for a Taxi Operators License.

Upon motion by Councillor Marks-Granted

08-620-Petition by Joseph Viglione 59 Garfield Avenue to address the City Council on public access TV3.

The Chair (President Burke) ruled the paper out of order due the request to censure a councillor, which falls within the Council.

08-625-Petition by Wilson T. Gomes and Orlando Guimaraes for Common Victualler License at Brazilian Stop Market of Medford 295-299 Salem Street, Medford, MA

On File
Petition
Business Certificate #275
Building
Treasurers
Health
Traffic
Fire
Workman's Comp
State Tax Form

Upon motion by Councillor Marks-Granted

MOTION, ORDERS AND RESOLUTIONS

08-613- Offered by Councillor Maiocco
Be it Resolved that the Medford City Council Commend and Congratulate Joseph and Christine Stone on the wonderful occasion of their 50th Wedding Anniversary.

Upon motion by Councillor Maiocco-passed

08-621- Offered by Councillor Maiocco
Be It Resolved that the City Solicitor provide the Council with an update regarding the City's Court case against the Absentee Owner of 90 Warren St.

Amended by Councillor Maiocco that the Mayor has the Building Commissioner and Police make an unannounced visit to the property to determine if it has 3 Unrelated occupants.

Upon motion by Councillor Maiocco as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-622- Offered by President Burke
Be it Resolved that the Mayor and our State Delegation advise this body on the status of the Home Rule Petition concerning additional Beer/Wine licenses in the City of Medford.

Upon motion by Councillor Maiocco-passed

08-623- Offered by President Burke
Be it Resolved that the Mayor inform this body on the status of the Senior Work Real Estate Tax Abatement Program and whether it has been suspended.

Upon motion by Councillor Maiocco-passed

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-626-Offered by President Burke

Be It Resolved, that Code Enforcement Officer Bavuso inform both Jiffy Lube and Atlas Liquors, both on Mystic Avenue, that their moving signs are not in compliance with the frequency allowed in the special permit.

Further, that a site inspection be made of all permit holders of moving signs to ensure consistent treatment.

Upon motion by Councillor Maiocco-passed

08-628-Offered by President Burke

Be it resolved, that the Medford City Council send its condolences to the family of the late A. Eugene Sullivan. Mr. Sullivan, was a former City Councillor.

Upon motion by Councillor Penta-passed

08-630-Offered by Councillor Marks

Be It Resolved that the pot holes at the intersection of Middlesex Ave and Riverside Ave be filled in the interest of public safety

Amended by Councillor Marks that the sink hole at the corner of High St and Allston be repaired.

Upon motion by Councillor Marks as amended-passed

08-631-Offered by Councillor Penta

Be It Resolved that the property at 24-30 High Street be discussed

Amended by Councillor Penta that the Owner of the Property and Building Commissioner appear before the City Council to provide the Council with an update to the status of the construction and answer questions as why the plans were change from the original proposal.

Upon motion by Councillor Penta as amended on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-632-Offered by Councillor Maiocco

Be It Resolved that the Building Commissioner report to the Council in regards the parking spots in back of Medford Square currently be occupied by the tenants of Riverside Apartments owned by Hamilton Realty if the lease for the parking spots have been renewed, who signed the lease and who's authority is it to post signs.

Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Vive President Breanna Lungo-Koehn called the Thirty-First Meeting of the Medford City Council at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 absent (Burke)

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of November 18, 2008 were passed to Councillor Camuso

Those Present and seated inside the rail were Edward P. Finn, City Clerk and Lawrence Lepore, City Messenger

Televised by Channel 16-Government Access

Councillor Camuso motioned for suspension of the rules to take paper 08-637 and paper on Retirement Increase-passed

08-637- Petition for reversal of a sign denial by Robert Abruzese for Century Bank and Trust Company, 760 Fellsway, Medford, MA on OCD Application 2008-44 (Exceeds Allowable size and moving text not allowed)

Addressing the Council-Attorney Robert Abruzese, 92 High st

Amended by Councillor Marks that movable message be changed 4 times a day

Amended by Councillor Penta that the movable sign be allow to change once per hour during regular business hours-Upon motion by Councillor Penta on a roll call vote of 3 in the affirmative, 3 in the negative and 1 absent-Motion failed

Amended by Councillor Penta that the issue of movable messaging signs and the frequency of change be addressed at a Sub Committee on Zoning meeting

Upon motion by Councillor Marks as amended on a roll call vote of 6 in the affirmative and 1 absent-Granted

UNDER SUSPENSION NOVEMBER 25, 2008

08-640



City of Medford

MEDFORD CONTRIBUTORY RETIREMENT SYSTEM

City Hall - Room 215
85 George P. Hassett Drive
Medford, Massachusetts 02155

Telephone
(781) 393-2517 / 393-2521
FAX: (781) 393-2522
TDD: (781) 393-2516

10-27-08

Medford City Council
Medford City Hall
Medford, MA 02155

RE: 3% Cost of Living – effective 7-1-09 for Retirees of the City of Medford

Dear President Muccini Burke and Fellow Councilors,

The Medford Retirement Board will have their next Board Meeting on 11-24-08 and wanted to notify the Medford City Council of the Board's intentions on voting for a cost of living allowance for the Retirees, subject to the approval of the Medford City Council.

The 3% cost of living is figured on a base allowance of \$12,000.00. This would allow a retiree to receive up to \$360.00 annually. The increase in the monthly Retirement Payroll will be approximately \$16,000.00. We currently have 640 retirees on the Payroll.

Anne Baker will be representing the Retirement Board at the Council meeting if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Tina Rapatano".

Tina Rapatano
Administrator

Addressing the Council-Ann Baker, City Auditor

Upon motion by Councillor Camuso-passed

Councillor Penta motioned to revert back to regular order of business-passed

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-636- Petition for reversal of a signs denial by Jason Parillo, Back Bay Signs for CVS Pharmacy #26, 590 Fellsway, Medford, MA on the following applications

OCD 2008-39 Exceeds allowable number and size of signs
OCD 2008-39A Exceeds allowable number of signs
OCD 2008-39B To many signs
OCD 2008-39c Exceeds number of signs
OCD 2008-39d Exceeds allowable number of signs
OCD 2008-39e Exceeds allowable number of signs
OCD 2008-39h Exceeds allowable number of signs
OCD 2008-39i Exceeds allowable number of signs
OCD 2008-39j Exceeds allowable number of signs
OCD Replacement #12, denied no reason

Upon motion by Councillor Penta to Table-Tabled

MOTION, ORDERS AND RESOLUTIONS

08-638-Offered by Councilor Marks

Whereas a sidewalk defect at 390 Salem Street caused a personal injury to a Medford resident. . .
Be it Resolved that the sidewalk be repaired immediately in the interest of public safety.

Upon motion by Councillor Marks-passed

08-639-Offered by Councillor Marks

Be it Resolved that the sidewalk at 407-409 Salem Street be replaced in the interest of public safety.

Upon motion by Councillor Marks-passed

Councillor Camuso motioned for suspension of the rules to take paper 08-530 out of unfinished business-passed

8-529 _____ SPC Hearing, Burger King Corp, 383 Mystic Ave, Extended Hours

IN COUNCIL

SEPTEMBER 23, 2008

TABLED

Addressing the Council-Mia Leo, District Manager

Amended by Councillor Penta that the petition be awarded the extended time for the drive-thru to 3:00 A.M. with a 6 month review, which in that time if all reports come back from department heads and no complaints the petition can be extended to 7:00 AM.

Amended by Councillor Penta that the City Solicitor report back to the if the Council can extend the hours after the six month review process without the petitioner going through another petition for public hearing.

Upon motion by Councillor Penta as amended on a roll call vote of 6 in the affirmative and 1 absent (Burke)-Granted

Councillor Penta motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-641-Offered by Councillor Camuso

Be It resolved that the Medford City Council offer its sincere condolences to the family of Richard "Dick" Ober on his recent passing. Dick was a member of the Civic Auditorium Commission and avid supporter of the Chevalier theatre, he was also a member of the Mystic Players, retired employee of the City of Medford's Electrical Department and Election Warden

Upon motion by Councillor Camuso-passed

08-644-Offered by Councillor Maiocco

Be It Resolved that the Traffic Commission analyzes the traffic pattern at Winthrop Circle to alleviate the traffic jams that take place every day and also have the faded signs replaced at the corners of Rural and Traincroft.

Upon motion by Councillor Maiocco-passed

08-643-Offered by Councillor Dello Russo

Whereas the City of Medford has identified several major infrastructure projects and Whereas the incoming Federal Administration has pledged to remedy the national economic crisis by undertaking many public works projects
Be It Resolved that the Mayor of Medford prioritize those infrastructure projects including but not limited to (Craddock Bridge repair, Medford Square re-alignment and river front project, Medford Square parking garage, resurface and repair of Harvard Street and traffic signal replacement., Wellington C circle traffic issues and infrastructure repairs) and engage with our Congressional representative to secure funding and assistance to complete these projects

Upon by Councillor Dello Russo-passed

08-642-Offered by Councillor Penta

Be It Resolved that the Chief of the Fire Department appear before the City Council to explain the craziness of bring back firefighters on have been on disability and the impact to the existing fire department and to explain the logic and laws behind all of this.

Upon motion by Councillor Penta-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

6-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL OCTOBER 24, 2006 TABLED

IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

City Council

Stephanie Muccini Burke, President
Breanna Lungo-Koehn, Vice President
Paul A. Camuso
Frederick Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Thirty-Second regular Meeting of the Medford City Council to order at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

6 Members Present
1 absent (Dello Russo)

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of November 25, 2008 were passed to Vice President Lungo-Koehn

Those Present and seated inside the rail were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Rob Barry, Transcript

Televised by Channel 16-Government Access

Vice President Lungo-Koehn motioned for suspension of the rules to allow a representative from the Jingle Bell Festival to announce the upcoming Holiday schedule of events.-passed

Vice President Lungo-Koehn motioned to revert back to regular order of business-passed

MOTION, ORDERS AND RESOLUTIONS

08-645-Offered by Councillor Maiocco

Be It Resolved that in behalf of the City Council that congratulations are in order to the new 2008 Mustang Hall of Fame Inductees on their inductions, as well as a well deserved recognition to the teams of the past "the 1955 Boys Baseball Team and 1991-1992- Girls Basketball Team both Championship caliber teams of Medford High School

Upon motion by Councillor Maiocco-passed

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-646-Offered by Councillor Penta

Be it resolved ... that the City of Medford recognize the celebration of the 90th birthday of Amato V. Lepore, a well respected and known community activist, WW II veteran, former elected official, bank cooperater, registrar of voter's member and attorney.

In his honor for his many years of Medford Community involvement, it is respectfully requested that the island immediately in front of Mr. Lepore's home be dedicated in his honor and be hereby called the Amato V. Lepore Island.

Upon motion by Councillor Penta on a roll call vote of 6 in the affirmative and 1 absent (Dello Russo)-passed

08-647-Offered by Councillor Penta

Be it resolved ... that the City of Medford extend to the family of Alfred Fondacaro its' message of sympathy on his recent passing. Al was a proud veteran of WW11 and had a long standing and proud career within the Republican party wherein he formerly served as Chairperson of the Medford Republican City Committees ... as a Republican State Committee Man and as State Treasurer for the Republican State Committee. Al was well known within our community as a dedicated member of the Medford Housing Authority and as a former member of the Commonwealth's Group Insurance Commission.

Upon motion by Councillor Penta-passed

08-649-Offered by Councillor Maiocco and Marks

Be It Resolved that the Medford City Council offer its sincere condolences to the family of Alfred Fondacaro Jr., on his recent passing. Al was a member of the Medford Housing Authority Commission and a WW II Veteran.

Upon motion by Councillor Maiocco-passed

08-650-Offered by Councillor Maiocco and Marks

Be It Resolved that the Medford City Council offer its sincere condolences to the family of Arlene Murphy. Mrs. Murphy was a former teacher in the Medford Public School System and mother of Maureen Boormeister and Dr. Joseph Murphy

Upon motion by Councillor Maiocco-passed

08-651-Offered by Councillor Maiocco and Marks

Be It Resolved that the Medford City Council offer its sincere condolences to the family of Paul Murphy, husband of Jeanette, employee in the Medford School system and member of the Medford Zoning Board of Appeals

Upon motion by Councillor Maiocco-passed

08-652-Offered by Vice President Lungo-Koehn

Be It Resolved that the City Council address and support the petition submitted to the Council on the urgency to hire a new Medford High School Football Coach in the beginning of the new year.

Amended by Vice President Lungo-Koehn that the Supt. Of Schools report on behalf of the petitioners, parents on the disposition on the hiring of a new football coach.

Amended by Councillor Camuso that the Interim Co-Coaches Mike Marchese, Jamie Delverde, assistants Mike Coppentrath, Ron Palma and Mark Bolster be commended for sticking by the kids and the program while other coaches bailed out on the programs due to the controversy.

Amended by Councillor Penta that the Players and Coaches be publically commended and praised for showing up to practice everyday, playing every game with the same attitude despite the obstacles that occurred the last 2 seasons

Upon motion by Vice President Lungo-Koehn as amended-passed

08-653-Offered by President Burke

Be It Resolved that the City Council congratulates Medford High School Senior Phil Galeback on finishing 7th in the Foot Locker Cross Country Northeast Regionals this past weekend. This enables him to advance to the National Finals.

Upon motion by Councillor Maiocco-passed

08-654-Offered by President Burke

Whereas, A Committee of the Whole Meeting will be held next Tuesday December 9th,
Be It Resolved that Ms. Anne Baker be prepared to provide an analysis of the financial conditions of the City.

Amended by Councillor Maiocco that Richard Lee be requested to attend the same meeting

Upon motion by Councillor Maiocco as amended-passed

08-655-Offered by Councillor Camuso

Be It Resolved that the Mayor responds back to the Council on the status of the TV-3 Financial Audit

Upon motion by Councillor Camuso-passed

08-656-Offered by Councillor Penta

Be It Resolved that MBTA report back on the ongoing activity on the railroad tracks from the Tufts University Post Office up to the hillside area where digging of land is taking place, burms be installed and areas of land be carved out. The MBTA report back on who has surveyed this land, what is the cost of such activity and has the City been notified of this activity. The Council also request that a representative from the MBTA address the Council at an upcoming meeting to address these concerns.

Upon motion by Councillor Penta-passed

COMMITTEE REPORTS

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755

Council endorse letter to State Delegation re; Tax Abatement for Disabled

IN COUNCIL

OCTOBER 24, 2006 TABLED

IN COUNCIL

OCTOBER 23, 2007 TABLED

07-332-Mausoleum at Oak Grove Cemetery

IN COUNCIL

MAY 1, 2007

TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL

JANUARY 8, 2008

TABLED

08-366- Legislative action to prevent the taking of any taxpayer private residential property in Medford with the expansion of the Green Line into Medford

IN COUNCIL

MAY 6, 2008

TABLED

08-636- Sign Denial, CVS Pharmacy 890 Fellsway

IN COUNCIL

NOVEMBER 25, 2008

TABLED

PUBLIC PARTICIPATION
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006

07-072-Intercept Program

08-381-Six Month Review SPC Extended Hours Spring St. Superette, Jan 6, 2009

08-529-SPC Extended Hours Burger King, 383 Middlesex 6 month review June 2009

Records:

The Records of the Meeting of November 25, 2008 were passed to Vice President Lungo-Koehn. Vice President Lungo-Koehn then reviewed the records and found them to be in order and be approved- passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 7:40 P.M.

A true copy

Attest

Edward P. Finn
City Clerk

December 9, 2008

Medford City Council
The Thirty-Third Meeting
Medford, Massachusetts
December 9, 2008

City Council

Stephanie Muccini Burke, President
Breanna Lungo-Koehn, Vice President
Paul A. Camuso
Frederick Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Thirty-Third regular Meeting of the Medford City Council to order at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of December 2, 2008 were passed to Councillor Maiocco

Those Present and seated inside the hall were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger and Rob Barry, Transcript

Televised by Channel 16-Government Access

HEARINGS

08-614

**CITY OF MEDFORD
NOTICE OF A PUBLIC HEARING**

A Public Hearing will be held by the Medford City Council in the Howard F. Alden Memorial Auditorium, Medford City Hall, 85 George P. Hassett Dr., Medford, Massachusetts, on **TUESDAY EVENING**, December 9, 2008 at 7:00 P.M. on a Petition by Frank Balurdi, Smooth Scooters LLC for a Special Permit pursuant to Chapter 94, Zoning Ordinances of the City of Medford, Section 94-148, Use No 27, to operate a Class 1 Automotive Sales (Sale of Motor Scooters) at 30 Harvard Ave., Medford, MA., said site being located in a C-1 Zoning District.

Petition and plans may be seen in the Office of the City Clerk, City Hall, Medford, Massachusetts.

Call 393-2501 for any accommodations/aids. T.D.D. 393-2516.

The City of Medford is an EEO/AA/504 Employer.

By order of the City Council.

Edward P. Finn
City Clerk

Advertised Medford Daily Mercury November 17, and November 24, 2008

08-614(Cont)

Those in Favor-Attorney Robert Abruzese, 92 High St., Medford, Jean and Joe Waters, 17 Pembroke St.

Those in Opposition-None

Addressing the Council-Attorney Robert Abruzese and Petitioner Frank Balurdi

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-Granted

08-612-

**CITY OF MEDFORD
NOTICE OF A PUBLIC HEARING**

A Public Hearing will be held in the HOWARD F. ALDEN MEMORIAL CHAMBERS, CITY HALL, MEDFORD, MASSACHUSETTS, on **Tuesday Evening**, December 9, 2008, 2006 at 7:00 P.M., on a Petition by Frank Balurdi, Smooth Scooters LLC to operate a Class IV Automotive Repair Shop at 30 Harvard Ave., Medford, Massachusetts.

Petitions and plans may be seen in the Office of the City Clerk, Room 103, City Hall, Medford, Massachusetts.

Call 781-393-2501 for any accommodations/aids. T.D.D. 781-393-2516.

The City of Medford is an EEO/AA/504 Employer.

On File

Business Certificate # 245
Petition
Building Dept.
Fire Dept.
Health Dept.
Traffic Impact
Treasurer
State Tax Form
Letter of Compliance
Workman's Compensation

By Order of the City Council.

S/ Edward P. Finn
City Clerk

Advertised Medford Daily Mercury November 17, and November 24, 2008

Those in Favor-Attorney Robert Abruzese, 92 High St.,
Those in Opposition-None

Upon motion by Councillor Marks on a roll call vote of 6 in the affirmative and 1 absent (Camuso)-Granted

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

08-611-Petition by Frank Balurdi 4 Emerald St. Wakefield, MA., for a Class 1 Automotive Sales at 30 Harvard Ave., Medford, MA.

On File

Business Certificate # 245

Petition

Building Dept.

Fire Dept.

08-611(Cont)

Health Dept.

Traffic Impact

Treasurer

State Tax Form

Letter of Compliance

Workman's Compensation

Addressing the Council-Attorney Robert Abruzese and Petitioner Frank Balurdi

Upon motion by Councillor Marks-Granted

08-659-Petition by Mory Bahar, Representative for Trust for Architectural Easements and Rick Johnson, R.A. Johnson Realty Inc., Owner of 24 Brooks Park, Medford for approval to grant a Historical Preservation Easement on the property at 24 Brooks Park.

Addressing the Council-Mory Bahar, Rep. for Trust for Architectural Easements

And Mark Rumley City Solicitor

Amended by Councilor Maiocco that the City Solicitor report back if the property has been appraised by Historical appraisers.

Upon motion by Councillor Penta to table the matter till next week and invite the Chairpersons of the Historical Commission and Society, Property Owner, Assessor and City Solicitor to attend-Tabled

MOTION, ORDERS AND RESOLUTIONS

08-661-Offered by President Burke

Be It Resolved that the City Council Meetings of December 23rd and December 30th of the year 2008 be cancelled due to the ongoing activities from the holiday season

Upon motion by Councillor Maiocco-passed

COMMUNICATIONS FROM THE MAYOR

08-660

December 5, 2008

To The Honorable President and
Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

This is to inform you that at your meeting on December 9, 2008 I intend to submit and recommend to your Honorable Body for approval a Home Rule Petition to be sent to the General Court regarding a local option for Early Incentive Retirement.

Respectfully Submitted,
Signature on file/paper
Mayor Michael J. McGlynn

**HOME RULE PETITION
AN ACT AUTHORIZING THE CITY OF MEDFORD
TO PROVIDE FOR
AN EARLY INCENTIVE RETIREMENT
FOR ITS WORKFORCE**

AN ACT, providing for the workforce reduction of the City of Medford through an early retirement incentive program for certain employees.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a fair and orderly manner in which the number of employees of the City of Medford can be reduced in order to meet fiscal limitations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Section 1.

The following definitions and provisions contained therein are applicable for the purposes of this Act.

Start Date- shall mean the date on which an *Eligible Employee* begins to have an additional contribution of four percent (4%) withheld from his regular compensation to be credited toward his superannuation retirement benefit in excess of the regular

amount which is withheld as his contribution to his superannuation retirement. This date shall be set forth on the *Notice of Incentive Participation*.

2

Eligible Employee- shall mean an active member of the retirement system of the City of Medford who meets all of the following criteria:

- a. has been an active member in the retirement system for at least twenty (20) years and is eligible to receive a superannuation retirement allowance in accordance with subdivision (1) of section 5 of said chapter 32 or subdivision (1) of section 10 of said chapter 32 upon the effective retirement date specified in his written application to the retirement system ;
- b. is not a member of the State Teachers' Retirement system;
- c. shall have filed a *Notice of Incentive Participation* with the City of Medford retirement system in accordance with section (3) herein;
- d. shall be classified in Group 1, Group 2 or Group 4 in accordance with clause (g) of subdivision (2) of section 3 of said chapter 32.
- e. Shall have waived any longevity payment due him from the City of Medford for the period commencing at the *Start Date*, as defined herein, and ending on his *Retirement Date*.
- f. Shall have waived any annual sick leave incentive payment or unused accrued vacation, personal days or sick time due him from the City of Medford that would have been payable upon his *Retirement Date*.
- g. Shall not have used more sick days than he has accrued in each year during that part of the *Incentive Participation Period* that includes the period between January 1, 2009 and ends on his *Retirement Date* unless the additional sick days have been approved by a physician or other medical professional chosen by the *Executive Authority*.

Incentive Participation Period- shall mean the period of January 1, 2008 through January, 15, 2012.

Executive Authority- shall mean the Mayor of the City of Medford.

Notice of Incentive Participation- shall mean a written application for use by *Eligible Employees* to indicate their participation in the *Early Incentive Retirement Program* herein.

Retirement Date- shall mean the effective date, no later than January 15, 2012, on which an *Eligible Employee* shall retire. This date shall be set forth on the *Notice of Incentive Participation*.

Retirement Increase- shall mean an increase in the age of an *Eligible Employee* or his number of years and full months of creditable service. The amount of increase for an *Eligible Employee* who is classified in Group 1 shall be either by adding up to 4 years of age or by adding up to 4 years of creditable service or by a combination of additional years of age and service the sum of which shall not be greater than 4. The amount of increase for an *Eligible Employee* who is classified in Group 2 or Group 4 shall be either by adding up to 2 years of age or by adding up to 2 years of creditable service or by a combination of additional years of age and service the sum of which shall not be greater than 2. In addition, the increase shall not exceed the number of weeks during the *Incentive Participation Period* during which the *Eligible Employee* has had an additional amount of four percent (4%) withheld from his regular compensation as set forth in

Section 3 of this Act and any *Retroactive Benefit* which the *Eligible Employee* may have purchased.

3

Retroactive Benefit- shall mean the ability of an *Eligible Employee* to pay an amount equivalent to four percent (4%) of his annual compensation for the period of January 1, 2008 through December 31, 2008 and, in exchange, to have the calculation of his age or his number of years and full months of creditable service at the time of his retirement increased either by adding up 1 year of age or by adding 1 year of creditable service or by a combination of additional age and service the sum of which shall not be greater than one [1] year. An *Eligible Employee* may pay said amount in one lump sum or by way of incremental payments at such times and in such amounts as may be approved by the City Treasurer. However, in any event, such payment shall be made before the *Eligible Employee's Retirement Date*.

Section 2

Notwithstanding chapter 32 of the General Laws or any other general or special law to the contrary, this section shall apply to an "*Eligible Employee*" as defined herein.

Notwithstanding this section or any general or special law to the contrary, the *Executive Authority* of the City of Medford may designate the municipal departments to which the early retirement incentive program shall apply and the time periods when it shall apply.

Section 3

During the *Incentive Participation Period* an *Eligible Employee* may file with the Administrator of the Medford Retirement Board a *Notice of Incentive Participation* indicating a *Start Date* on which the *Eligible Employee* chooses to have an additional amount of four percent (4%) withheld from his regular compensation to be credited toward his superannuation retirement benefit. The Administrator of the Medford Retirement Board shall forward a copy of the *Notice of Incentive Participation* to the Medford City Treasurer with the instruction to the Treasurer to withhold on each pay day beginning with the *Start Date* and for every pay day following thereafter up to the *Eligible Employee's Retirement Date* four percent (4%) of the regular compensation of the *Eligible Employee* to be credited toward his superannuation retirement benefit in addition to any amounts already being withheld for this purpose.

4

In addition, an *Eligible Employee* may purchase a *Retroactive Benefit* by paying an amount equivalent to four percent (4%) of his annual compensation for the period of January 1, 2008 through December 31, 2008 and, in exchange, to have the calculation of his age or his number of years and full months of creditable service at the time of his retirement increased either by adding 1 year of age or by adding 1 years of creditable service or by a combination of additional age and service the sum of which shall not be greater than one [1] year. An *Eligible Employee* may pay said amount in one lump sum or by way of incremental payments at such times and in such amounts as may be approved by the City Treasurer. However, in any event, such payment shall be made before the *Eligible Employee's Retirement Date*.

Section 4

Notwithstanding said chapter 32 to the contrary, the normal yearly amount of the retirement allowance for an *Eligible Employee* shall be based on the average annual rate of regular compensation as determined under paragraph (a) of subdivision (2) of

section 5 of said chapter 32 and shall be computed according to the table contained in said paragraph (a) based on the age of such member and his number of years and full months of creditable service at the time of his retirement increased, for an *Eligible Employee* who is classified in Group 1, either by adding up to 4 years of age or by adding up to 4 years of creditable service or by a combination of additional years of age and service the sum of which shall not be greater than 4 and for an *Eligible Employee* who is classified in Group 2 or in Group 4, either by adding up to 2 years of age or by adding up to 2 years of creditable service or by a combination of additional years of age and service the sum of which shall not be greater than 2. In addition, the amount of additional age or creditable service shall not exceed the number of weeks during the *Incentive Participation Period* during which the *Eligible Employee* has had an additional amount of four percent (4%) withheld from his regular compensation as set forth in Section 3 of this act along with any *Retroactive Benefit* purchased by the *Eligible Employee*.

Section 5

The *Executive Authority* of the City of Medford may limit the amount of additional credit for service or age or a combination of service or age offered. The *Executive Authority* of the City of Medford may limit the total number of employees for whom it will approve a retirement calculated under this section or the total number of employees within each group classification for whom he will approve a retirement calculated under this section and, if participation is limited, the retirement of employees with greater years of creditable service shall be approved before approval shall be given to employees with fewer years of creditable service.

Section 6

The total normal yearly amount of the retirement allowance, as determined in accordance with section 5 of said chapter 32, of an *Eligible Employee* who retires and receives an additional benefit under the early retirement incentive program in accordance with this Act shall not exceed 80 percent of the average annual rate of his regular compensation received during any period of 3 consecutive years of creditable service for which the rate of compensation was the highest or of the average annual rate of his regular compensation received during the periods, whether or not consecutive, constituting his last 3 years of creditable service preceding retirement, whichever is greater.

Section 7

Nothing in this Act shall prohibit an *Eligible Employee* from making his payment for the *Retirement Increase* or *Retroactive Benefit* by way of a lump sum payment.

6

Section 8

The executive director of the Public Employee Retirement Administration Commission shall analyze, study and value the costs and the actuarial liabilities attributable to the additional benefits payable in accordance with the early retirement incentive program established by this Act for the retirement system of the City of Medford. The executive director shall file a report of his findings to the board, in writing, on or before December 31, 2009, together with copies thereof to the Mayor of the City of Medford.

Section 9

In accordance with section 22D of said chapter 32, the retirement board of the City of

Medford shall revise its retirement funding schedule to reflect the costs and the actuarial liabilities attributable to the additional benefits payable under the retirement incentive program in accordance with this section. In each of the fiscal years until the actuarial liability determined under this section shall be reduced to zero, it shall be an obligation of the City of Medford to fund such liability and there shall be appropriated to the applicable pension reserve fund in each such fiscal year the amount required by the funding schedule and the updates thereto.

Section 10

The Legislature of the Commonwealth of Massachusetts may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

Section 11

All payments made by an *Eligible Employee* under this Section 3 of this Act and any amounts of money waived by an *Eligible Employee* for any longevity payment due him from the City of Medford in the final before his *Retirement Date* or any amounts of money waived by the *Eligible Employee* representing annual sick leave incentive payment or unused accrued vacation, personal days or sick time due him from the City of Medford that would have been payable upon his *Retirement Date* shall be forthwith paid to the Medford Retirement system.

Section 12

This act shall take effect upon its passage

Respectfully Submitted,
Mayor Michael J. McGlynn,

The members of the Medford City Council voting approval for the Home Rule Petition entitled, "AN ACT AUTHORIZING THE CITY OF MEDFORD TO PROVIDE FOR AN EARLY INCENTIVE RETIREMENT FOR ITS WORKFORCE", are as follows, each of whom has affixed her or his signature to this Petition which consists of five (5) pages in its entirety.

President Stephanie Muccini Burke

Vice President Breanna Lungo

Paul A. Camuso, Jr.

Frederick N. Dello Russo

Robert A. Maiocco

Michael J. Marks

Robert M. Penta

8
Commonwealth of Massachusetts
Middlesex, ss December, 2008

I, Edward P. Finn, hereby certify that I am the duly appointed City Clerk of the City of Medford and I certify and attest that the document herein is a true copy of the Home Rule Petition passed by the City Council of the City of Medford on August 12, 2008 by a vote of _____ of _____ in favor and _____ in the negative.

Attest: _____

Edward P. Finn

(City Seal)

Addressing the Council
Mark Rumley, City Solicitor
Anne Baker, City Auditor

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-passed

08-668-Offered by Councillor Penta

Be It Resolved that the Mayor consider implementing a 4 year sick time incentive in concert with the Home Petition from Day 1 till the end of the 4 year sick time allotment

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Camuso motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-667-Offered by Councillor Camuso

Be It Resolved that the DPW Commissioner reports to the Council on the current condition of the roof at the DPW Yard.

Upon motion by Councillor Camuso to Table-Tabled

08-662-Offered by Councillor Camuso

Be It Resolved that the Medford City Council offer its condolences to the family of John J. Knight Jr. on his recent passing

Upon motion by Councillor Camuso-passed

08-666-Offered by Councillor Camuso

Be It Resolved that the Medford City Council sends its sincere condolences to the family of Evelyn Bouchard. Mrs Bouchard is the mother of longtime Medford resident Marcia Hillson. She is also the mother in law of longtime South Medford Little League President Lonnie Hillson.

Upon motion by Councillor Camuso-passed

Councillor Camuso motioned for suspension of the rules to take paper 08-667 out of unfinished business

08-667-Offered by Councillor Camuso

Be It Resolved that the DPW Commissioner reports to the Council on the current condition of the roof at the DPW Yard.

IN COUNCIL

DECEMBER 9, 2008

TABLED

Upon motion by Councillor Camuso-passed

08-664-Offered by Councillor Penta

Be It Resolved that a Representative from either the Executive Office of Transportation, MBTA and or Green Line Committee appear before the Medford City Council to explain the 1.7 million dollars worth of construction and repairs taking place on the railroad tracks by the Hillside and College Ave area.

Upon motion by Councillor Penta on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Maiocco motioned to take the Committee Report out of Committee concerning the Tax Rate-passed

COMMITTEE REPORTS

08-663-

**COMMITTEE OF THE WHOLE
MEETING REPORT
DECEMBER 9, 2008**

Attendees: President Burke, Vice President Lungo-Koehn, Councillor's Maiocco, Dello Russo, Camuso, Penta (6:50 PM), Anne Baker, Ed O'Neil

The purpose of the meeting was to discuss the upcoming Tax Rate Hearing.

Recommendations:

1. A report back from the City Auditor and Assessor on reserves for allowances for abatements
2. A report back from the Assessor on commitment 2009 on RMV Excise Tax due out February 2009
3. A report back from the City Auditor on the current Hotel occupancy tax percentage and if there is room to increase the percentage
4. A summary from the City Auditor on 400 commercial water and sewer accounts and what the audit indicates on usage and what is owed to the city.
5. The auditor provides a copy of the work agreement with Woodcock Associates.
6. A report back from the Assessor on the number of cell towers, by location in the city, when the building permit was taken out for each tower, the assessed rate and amount of each tower and when did the assessment begin.

Upon Councillor Maiocco that the report be adopted-Adopted

Councillor Maiocco motioned to revert back to regular order of business-passed

UNFINISHED BUSINESS

Upon motion of _____, all Unfinished Business on the Table was taken from the table for action.

06-755 Council endorse letter to State Delegation re; Tax Abatement for Disabled
IN COUNCIL OCTOBER 24, 2006 TABLED
IN COUNCIL OCTOBER 23, 2007 TABLED

07-332- Mausoleum at Oak Grove Cemetery

IN COUNCIL MAY 1, 2007 TABLED

08-010- Petition to address Council on Plowing by Patricia Weld

IN COUNCIL JANUARY 8, 2008 TABLED

08-366- Legislative action to prevent the taking of any taxpayer private residential property in Medford with the expansion of the Green Line into Medford

IN COUNCIL MAY 6, 2008 TABLED

08-588- Keno to Go, Fred's Auto Repair, 385 Mystic Ave to object

IN COUNCIL OCTOBER 21, 2008 TABLED

08-636- Sign Denial Reversal, CVS Pharmacy 590 Fellsway

IN COUNCIL NOVEMBER 25, 2008 TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
08-588-Keno to Go, Fred's Auto, November 22, 2008
08-381-Six Month Review SPC Extended Hours Spring St. Superette, JAN 6, 2009
08-529-SPC Extended Hours Burger King, 383 Middlesex 6 month review June 2009

Records:

The Records of the Meeting of December 2, 2008 were passed to Councillor Maiocco. Councillor Maiocco then reviewed the records and found them to be in order and be approved- passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 9:05 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

December 16, 2008

Medford City Council
The Thirty-Fourth Meeting
Medford, Massachusetts
December 16, 2008

City Council

Stephanie Muccini Burke, President
Breanna Lungo-Koehn, Vice President
Paul A. Camuso
Frederick Dello Russo, Jr.
Robert A. Maiocco
Michael J. Marks
Robert M. Penta

Council President Stephanie Muccini Burke called the Thirty-Fourth regular Meeting of the Medford City Council to order at 7:00 P.M. at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

7 Members Present

SALUTE TO THE FLAG

RECORDS

The Records of the Meeting of December 9, 2008 were passed to Councillor Marks

Those Present and seated inside the hall were Edward P. Finn, City Clerk, Lawrence Lepore, City Messenger, Rob Barry, Transcript, Anne Baker, City Auditor and Ed O'Neil, Chief Assessor

Televised by Channel 16-Government Access

Councillor Penta motioned for suspension of the rules to convene into executive session for the purpose of discussing litigation concerning the recent PERAC decision and invite the City Solicitor and Fire Chief on a roll call vote of 4 in the affirmative and 3 in the negative (Maiocco, Burke, Lungo-Koehn)-passed (7:15 P.M.)

Motion by Councillor Penta to reconvene from executive session to regular order of business on a roll call vote 7 in the affirmative and 0 in the negative-passed (7:45 PM)

08-686-Offered by Councillor Dello Russo

Be It Resolved that the City Solicitor, Fire Chief and City Auditor prepare a report for City Council on an update regarding the recent decision by PERAC and its potential impact to the City's finances.

Upon motion by Councillor Dello Russo-passed

Councillor Maiocco motioned for suspension of the rules to take paper 08-659 out of unfinished business-passed

08-659 Petition by Mory Bahar, Trust for Architectural Easements for Historical Preservation Easement, 24 Brooks Park

IN COUNCIL

DECEMBER 9, 2008

TABLED

Addressing Council
Mory Bahar, Trust for Easement
Mark Rumley, City Solicitor
Nino Susi, Chair of Historical Commission
Joel Heskowicz, Secretary for Historical Society

Amended by Councillor Penta that City Solicitor review document and insert language that the value of the easement goes to the owner of the property

Upon motion by Councillor Penta that the paper be tabled-Tabled

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-672 and Representative of the MBTA out of order-passed

08-672- Petition by Vincent DiClemente for a Second Hand Articles License for America's Less Fortunate at 220A Salem Street, Medford, MA.

On File:

Business Certificate # 286
Petition
Building Dept
Fire Dept
Police Dept
Health Dept
Treasurer
State Tax
Letter of Compliance
Worker's Compensation

Upon motion by Councillor Marks-Granted

At this time John Ray, Director of Railroad Operations of the MBTA addressed and answered questions about the activity by Tufts Posts Office rail lines.

Councillor Maiocco motioned for suspension of the rules to take paper 08-366 out of unfinished business on a roll call vote of 3 (Maiocco, Marks, Penta) in the affirmative and 4 in the negative-motion failed

Councillor Maiocco motioned for suspension of the rules to take paper 08-679 out of order-passed

08-679

December 16, 2008

To: The President and Members of the
Medford City Council

From: Michael J. McGlynn
Mayor

Re: Fulton School, 349 Fulton Street, Medford, Ma.
Approval under G.L c. 40, section 15A

Dear Madam President and Members of the Medford City Council

On June 23, 2008 the School Committee of the City of Medford determined that the Fulton School located at 349 Fulton Street, Medford is no longer necessary for school use and has thus made this property available for disposition at the end of the present school year.

Whenever a Board such as the School Committee, is in charge of land that it determines is no longer necessary for its purposes, the provisions of G.L. c. 40 section 15A become operative.

Therefore, in accordance with the provisions of that statute, I respectfully request and recommend that your honorable body approve the transfer of the 'care, custody, management and control" of said the Fulton School for another specific municipal purpose, to wit, the purpose of sale.

In making this recommendation, I offer the following explanation of the relationship between G.L. c. 40 section 15A and G.L. c. 40 section 3

Whenever municipal owned land, that has been held for a specific purpose is to be sold, there must be a two-thirds vote pursuant to G.L. c. 40 section 15A to authorize the transfer of the land from one purpose to another. The sale of land is a specific municipal purpose.

Once the transfer for the purpose of sale has been authorized pursuant to G.L. c. 40 section 15A, the City Council may later consummate any sale by deed pursuant to G.L. c. 40 section 3

Thus, the provisions of G.L. c. 40 section 3 do not become operative until there has been an approval under G.L. c. 40 section 15A.

Respectfully submitted,
Michael J. McGlynn (signature on file w/paper)
Mayor

Addressing the Council-Mark Rumley, Solicitor

Amended by Councillor Penta that language on the proposal should include corrective action regarding the water and sewer for the neighbors

Upon motion by Councillor Maiocco on a roll call vote of 6 in the affirmative and 1 negative (Marks)-passed

Councillor Marks motioned for suspension of the rules to address paper 08-670-passed

08-670- Petition by Mass State Lottery to allow the City the right to object on Keno to Go Licenses.

Massachusetts State Lottery Commission

60 Columbian Street
Braintree, Massachusetts 02184-1738

Licensing Fax: (781) 849-5656

TIMOTHY P. CAHILL
Treasurer and Receiver General



MARK J. CAVANAGH
Executive Director

December 8, 2008

City of Medford
Licensing Board, C/C Rm 204
85 George P. Hassett Drive
Medford, MA 02155

Dear Sir/Madam:

The Massachusetts State Lottery is offering certain KENO To Go agents in your community, the opportunity to receive a KENO monitor to display the game. In accordance with M.G.L. c 10 section 27A, as amended, you are hereby notified that a monitor will be offered to existing KENO To Go agents as listed below:

BOYLES FAMILY MARKET 199 MYSTIC AVE MEDFORD, MA 02155	MAIN STREET VARIETY 335 MAIN ST MEDFORD, MA 02155
---	---

If you object, you must do so, in writing, within twenty-one (21) days of receipt of this letter. Please address your written objection to Charles McIntyre, General Counsel, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184. Should you have any questions regarding this program or any other issues relative to the Lottery please call me at 781-849-5555. I look forward to working with you as the Lottery continues its efforts to support the 351 cities and towns of the Commonwealth.

Sincerely,

Mark J. Cavanagh
Executive Director

Certified Mail – Return Receipt Requested:
7005 1820 0006 3753 7723

Upon motion by Councillor Maiocco to receive and place on file-passed

Councillor Penta motioned for suspension of the rules to take paper 08-636 out of unfinished business-passed

08-636- Sign Denial Reversal, CVS Pharmacy 590 Fellsway

IN COUNCIL

NOVEMBER 25, 2008

TABLED

Amended by Vice President Lungo-Koehn that lighted signs be turned off in accordance with the sign ordinance

Upon motion by Councillor Penta that on the newly submitted pages, that page 6,7,8,9 be denied and all other be approved-Granted

Councillor Maiocco motioned to revert back to regular order of business-passed

HEARINGS

08-640-

CITY OF MEDFORD

NOTICE OF PUBLIC HEARING

A Public hearing will be held by the Medford City Council in the Howard F. Alden Memorial Chambers, City Hall, Medford, MA, on **Tuesday, December 16, 2008** at 7:00 P.M.

The purpose of the hearing is to hear the Board of Assessors on the following items for the purpose of allocation of the FY 2009 Property Tax.

1. To determine the residential factor to be used for FY 2009
2. Select an open space discount
3. Select a residential exemption
4. Select a small commercial exemption

Call 393-2501 for any accommodations/aids. T.D.D. 393-2516.
The City of Medford is an EEO/AA/504 Employer.

By Order of the Medford City Council

/s/ Edward P. Finn, City Clerk

Those in favor-Ed O'Neil, Chief Assessor

Those in Opposition-None

This portion of the hearing closed

Addressing the Council from behind the rail-Anne Baker, Auditor, Ed O'Neil, Chief Assessor

- 1 To determine the residential factor to be used for FY 2009

Upon motion that the residential factor of .887952 be chosen on a roll call vote of 6 in the affirmative and 1 negative (Marks)-passed

- 2 Select an open space discount

Upon motion by Councillor Maiocco to vote no on selecting a open space discount on a roll call vote of 7 in the affirmative and 0 in the negative-passed

- 3 Select a residential exemption

Upon motion by Councillor Maiocco not to adopt a residential exemption on a roll call vote of 7 in the affirmative and 0 in the negative-passed

- 4 Select a small commercial exemption

Upon motion by Councillor Maiocco not to adopt a small residential exemption on a roll call vote of 7 in the affirmative and 0 in the negative-passed

Councillor Maiocco motioned for suspension of the rules to take paper 08-680 out of order-passed

08-680

To the Honorable President
And Members of the Medford City Council
City Hall
Medford, MA. 02155

Dear Madam President and City Councillors

I respectfully request and recommend that your Honorable Body approve the appropriation of \$75,000. from certified Free Cash to supplement the FY 2009 budget as voted on June 24, 2008. This sum is needed to provide an appropriate level of overlay reserves as required by the Department of Revenue.

Very truly yours,

Michael J. McGlynn (signature on file w/paper)

Mayor

Upon motion by Councillor Penta on a roll call vote of 6 in the affirmative and 1 negative (Marks)-passed

08-685-Offered by Councillor Penta

Be it resolved that the City Auditor provide the Council with a report detailing the potential loss of local aid and how it will affect the this years budget

Upon motion by Councillor Penta-passed

Vice President Lungo-Koehn motioned for suspension of the rules to take paper 08-669 out of order-passed

08-669

December 10, 2008

To the Honorable President
and Members of the Medford City Council
City Hall
Medford, MA 02155

Dear Madam President and City Councillors:

I respectfully request and recommend that your Honorable Body approve the transfers from overlay surplus to assessor line 010-141-5380, Other Services, totaling \$247,500 as outlined in the attached memo from the City Assessor and the Board of Assessors.

These amounts will fund the various Fiscal Year 2010 revaluation contracts as follows:

Personal Property:	\$58,000
Real Property Revaluation Update:	\$189,500

The City Assessor, Ed O'Neil and City Auditor, Anne Baker are present this evening to answer any questions you may have.

Very truly yours,
Signature on file w/paper
Michael J. McGlynn,

08-669(cont)

Upon motion by Councillor Dello Russo on a roll call vote of 6 in the affirmative and 1 in the negative (Marks)-passed

Councillor Maiocco motioned to revert back to regular order of business-passed

MOTION, ORDERS AND RESOLUTIONS

08-671- Offered by Vice President Lungo-Koehn

Be it resolved that the Electrical department update the council on steps to take regarding a broken street light. Missing or broken street lights should be replaced as soon as possible in the interest of public safety.

Upon motion by Councillor Maiocco to receive and place on file-passed

08-673- Offered by Councillor Marks

Be it resolved that the speeding on Fulton Street be discussed in the interest of public safety.

Amended by Councillor Marks that crosswalks, enforcement and speeding signs to be added to Fulton St.

Upon motion by Councillor Marks as amended that the paper be referred to the Traffic Commission for the appropriate action-passed

08-674-Offered by Councillor Maiocco

Be it resolved that the Mayor take the necessary action in directing the appropriate person or commission to formulate a tiered water and sewer billing system.

Upon motion by Councillor Maiocco-passed

08-675-Offered by President Burke,

Whereas, this council has requested that the Mayor consider a program that allows citizens the opportunity to "Adopt a Tree" which was taken under advisement by the Mayor,

Whereas, the City of Boston has established a program called "Grow Boston Greener" where citizens can donate \$50 to \$250 which will go toward the cost of a tree and the contributor can designate a recipient with a thank you,

Be it resolved, that the Mayor review the prior council request and/or the City of Boston's in order to augment the City's tree planting activity.

Upon motion by Vice President Lungo-Koehn-passed

Councillor Maiocco motioned for suspension of the rules to address papers in the possession of the City Clerk-passed

08-678-Offered by Councillor Camuso

Be it Resolved, that the Medford City Council congratulates Hallmark Health on the very successful Polar Express community event that was held over this past weekend.

Upon motion by Councillor Camuso-passed

08-677-Offered by Councillor Camuso

Be it Resolved, that the Medford City Council sends its sincere condolences to the family of Raffaella Doto who passed away recently. Mrs. Doto is the mother of Medford Firefighter John Doto.

Upon motion by Councillor Camuso-passed

08-682-Offered by Councillor Camuso

Be It Resolved that the Medford City Council congratulates President Burke for doing a great job over the past year leading this body during tough fiscal times.

Upon motion by Councillor Camuso-passed

08-683-Offered by Councillor Camuso

08-659 Petition by Mory Bahar, Trust for Architectural Easements for Historical Preservation Easement, 24 Brooks Park

IN COUNCIL

DECEMBER 9, 2008

TABLED

Public Participation
COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

05-895- Comprehensive Master Wellington Plan-3 months-Jan. 17, 2006
07-072-Intercept Program
08-588-Keno to Go, Fred's Auto, November 22, 2008
08-381-Six Month Review SPC Extended Hours Spring St. Superette, JAN 6, 2009
08-529-SPC Extended Hours Burger King, 383 Middlesex 6 month review June 2009

Records:

The Records of the Meeting of December 9, 2008 were passed to Councillor Marks. Councillor Marks then reviewed the records and found them to be in order and be approved- passed

Adjournment:

Councillor Maiocco motioned that meeting be adjourned at 11:05 P.M.

A true copy
Attest

Edward P. Finn
City Clerk

ⁱ The number of such licenses was limited by Chapter 75 of the Acts of 2001 to fifteen (15).