



Medford City Council
The Twenty-sixth Regular Meeting
Medford, Massachusetts
August 31, 2010

City Council

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

Council President Robert A. Maiocco called the Twenty-sixth 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

SALUTE TO THE FLAG

RECORDS

The Records of the Twenty-fifth Regular Meeting of July 13, 2010 were passed to Vice President Dello Russo.

HEARINGS

10-550

**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, August 31, 2010 at 7:00 P. M. on a petition by Luis E. Ramos Flores d/b/a International Collision Center for a Special Permit pursuant to Chapter 94, Zoning Ordinances of the City of Medford, Section 94-148 (d), Use No. 37, to operate a Automotive Repair Establishment at 50 Mystic Ave., Medford, MA., said site being located in an C-2 Zoning District.

Petition and plans may be seen in the Office of the City Clerk, 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

Advertise Medford Mercury August 17 and August 24, 2010

10-551

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, August 31, 2010 10, at 7:00 P.M., by Luis E. Ramos Flores d/b/a International Collision Center, to operate a Class IV Automotive Repair Shop at 50 Mystic Ave, Medford, Massachusetts.

Petitions and plans may be seen in the Office of the City Clerk, Room I03, 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

Advertised in Medford Daily Mercury August 17, 2010

10-552

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, August 31, 2010, at 7:00 P.M. on a petition from , by Luis Ernesto Ramos Flores, 64 Harvard St., Medford, d/b/a International Collision Center 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 50 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 August 17 and August 24, 2010

10-553

**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, Tuesday Evening, August 31, 2010 at 7:00 P.M., on a petition of Suh E. Son of 674 Summer St., Arlington, MA., d/b/a Sun Auto Repair and Body to operate an Automotive Repair Shop (Class 4 License) at 78 Swan St., Medford, Massachusetts in a C-1 Commercial 1 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 Medford City Council

S/Edward P. Finn, City Clerk

Advertised in Medford Mercury August 17, 2010

10-555

**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, August 31, 2010 at 7:00 P.M., by Paul Carniero and Alan LaRose d/b/a A & P Collision to operate a Class IV Automotive Repair Shop at 80 Swan Street, 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

Advertised in Medford Daily News Mercury August 24, 2010

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

10-556

Petition for Class II Auto Dealer License by Luis E. R. Flores at 50 Mystic Avenue, Medford For International Collision Center.

On File

Business Certificate #150
Building Dept.
Fire Dept.
Traffic Impact

Treasurer/Collector
State Tax Form
Letter of Compliance
Workmen's Compensation
Bond

10-557-

Petition for Reversal Sign Denial by Trang Truong for Riverside Nails Salon at 506 Riverside Ave. OCD 2010-23 Roof signs are not allowed.

10-558-

Petition for Reversal Sign Denial by Bruce Comenitz for 970 Fellsway OCD2010-31 Exceeds allowable 94-307-3

10-559-

Petition for Common Victualler License by Sultan Salahuddin and Colene P. Halligan of 8R Pine St., Maynard, MA 01754 for Neighborhood Pizza and Grill, Inc. at 5 High St, Medford

ON FILE

Business Certificate #186
Building Dept.
Fire Dept.
Traffic Impact
Health

Treasurer/Collector
State Tax Form
Letter of Compliance
Workmen's Compensation
Petition

10-560-

Petition for Taxi Operator License by Steven J. LeBlanc, 16 Harris Road, Medford

ON FILE

CORI Police Dept.

10-561-

Petition for Taxi Operator License by Lamy P. Altidor, 965 Fellsway #1, Medford

ON FILE

CORI Police Dept/

MOTION, ORDERS AND RESOLUTIONS

10-562-Offered by President Maiocco

Be it Resolved that the City Solicitor be requested to explain the impact of the Mass Supreme Judicial Courts decision regarding slip and fall lawsuits on private and public property to owners in Medford.

10-563-Offered by Councillor Lungo-Koehn

Be it Resolved that the Medford Fire Chief update the Medford City Council on actions that have been taken since June in regards to the South Medford Fire Station's meeting room. As discussed during our budget meetings, procedures needed to be drafted and handed out to all groups who use the room in order to take the burden off of our fire fighters to clean and maintain it.

10-570-Offered by Councillor Penta

Be it Resolved that the Mayor's new proposed trash program be discussed

10-571- Offered by Councillor Penta

Be it Resolved that the public parking lot on the parkway behind St. Joseph's church be discussed as to its' practicality and expense.

10-572- Offered by Councillor Penta

Be it Resolved that the outrageous cost and usefulness for the proposed new multi million dollar parking garage behind Colleens and Salvatore's be discussed.

10-573- Offered by Councillor Burke

Be it Resolved that the Medford City Council express its deepest Condolence to the family of Joseph "Joe" Moscaritola, longtime Medford resident, Past Commander of the D. A. V. Veteran, U.S. Army. He is survived by his wife, Josephine.

COMMUNICATIONS FROM THE MAYOR

10-568-

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

Date: August 25, 2010

To: President Robert Maiocco and Members of the
Honorable Medford City Council

Fr: Michael J. McGlynn, Mayor

Claimant Name: Priscilla Hoff - File #06-117

Date of Accident: November 18, 2006

Date of Settlement: July 1, 2010

Date of Trial Result: NA

Amount of Request: **\$3,500.00**

Claimant's Attorney: David C. McBride

Description of Alleged Claim:

The claimant, Priscilla Hoff of 190 High Street, Medford, MA, seeks compensation for injuries she suffered from her falling as a result of a defect in the sidewalk defect near 400 High Street, Medford, MA in the area in front of the Congregational Church. This occurred on November 18, 2006. As a result of her fall, she suffered an injury to her right shoulder, lip, right side of her face, right hand and arm, including her tibia. The necessary Releases have been obtained from the claimant. The area where Mrs. Hoff fell was repaired shortly after the accident.

Breakdown to Amount Requested:

Medical Cost:	-0-
Lost Wages:	-0-
Property Damage:	-0-
Other:	\$3,500.00
Total Settlement:	\$3,500.00

10-569-

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

Date: August 25, 2010

To: President Robert Maiocco and Members of the
Honorable Medford City Council

Fr: Michael J. McGlynn, Mayor

Claimant Name: Jennifer Flynn: File # 10-26
Date of Accident: March 20, 2010
Date of Settlement: August 19, 2010
Date of Trial Result: NA
Amount of Request: **\$15,025.00**
Claimant's Attorney: None

Description of Alleged Claim:

The claimant, Jennifer L. Flynn, 257 Governors Avenue, 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 March 20, 2010. The Department of Public Works has confirmed that the backuo occurred as a result of work the DPW had performed previously in the street that 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: \$15,025.00
Other: -0-
Total Settlement: \$15,025.00

COMMUNICATIONS FROM CITY OFFICERS AND EMPLOYEES

10-564-

Petition by Tina Rapatano for Medford Contributory Retirement System a memo #23/2010 from PERAC dated 6/28/2010- Accept local option "Termination of Allowance" MGL – C 32 – Sec 10(2)

COMMITTEE REPORT

10-554-

SUB COMMITTEE ON BUSINESS, ECONOMIC DEVELOPMENT AND SIGNS MEETING REPORT JULY 28, 2010

Attendees: Robert Penta, Chair, Stephanie Muccini Burke, Committee, Frederick Dello Russo, Committee, Robert Maiocco, Council, Jeff Fine, Atlas Liquors

The purpose of the meeting was to review and discuss sign denials from Century Bank and Atlas Liquors as well as discuss the appearance of Not Your Average Joe's Signage

Recommendations:

1. That Petitions 10-484 (Century Bank, 503 Riverside Ave), 10-483 (Century Bank, 400 Mystic Ave) and 06-415 (Atlas Liquors, Mystic Ave) be granted a reversal of Sign Denial with the provisions that the Moving Signs be changed 4 times per hour and that rotating, moving messages be not allowed.
2. That the Building Commissioner investigate the reversal of Sign Denial for not your Average Joe's in dimensions, verbiage, location and color if it adheres to the application approved
3. That those business or petitioners that were previously approved for messages that can be changed 4 times a day be notified that the Council is entertaining a change to 4 times an hours and must petition the sign review board then petition the City Council
4. That the Building Commissioner obtain from the State when available a report on safety in regards to the 2 moving billboards permitted by his office

Upon motion by Councillor Burke that the report be reported out of committee for approval

Meeting adjourned-7:00 PM

UNFINISHED BUSINESS

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

<u>08-366-</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>10-314</u>	Taxi Operator License Philip J. Robinson	IN CITY COUNCIL	APRIL 13, 2010	TABLED
<u>10-328</u>	Three Salem Street gas station inspections & Taxes & EPA commitments	IN CITY COUNCIL	APRIL 20, 2010	TABLED
		IN CITY COUNCIL	APRIL 27, 2010	TABLED
		IN CITY COUNCIL	MAY 4, 2010	TABLED
<u>10-460</u>	New Residential Trash Collection	IN CITY COUNCIL	MAY 25, 2010	TABLED
<u>10-532</u>	Special Permit KENO Medford Convenience Store, 376 Main Street	IN CITY COUNCIL	JULY 13, 2010	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
10-076-Google RFI project papers March 9, 2010

Records:

The Records of the Meeting of July 13, 2010 were passed to Vice President Dello Russo.

Adjournment: