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CITY CLERK  
MEDFORD, MASS.

## **Medford City Council**

The Thirtieth Regular Meeting

Medford, Massachusetts

October 4, 2016

Frederick N. Dello Russo, Jr., Council President

Breanna Lungo-Koehn, Vice President

Richard F. Caraviello

John C. Falco, Jr.

Adam Knight

Michael J. Marks

George A. Scarpelli

Council President Frederick N. Dello Russo Jr., called the Thirtieth 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 Meeting of September 27, 2016 were passed to Councillor Falco

### **HEARING**

**16-653-**

City of Medford  
Notice of 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, October 4, 2016, at 7:00 P.M. on a petition from Boston Wings LLC, DBA Wingstop, for

a Special Permit to extend Hours of Operation to operate its business at its restaurant in accordance with, Chapter 94, section 94-145 (b), Extended Hours of Operation on said site being located on 678 Fellsway, Medford, MA., in an C-1 (Commercial One) Zoning District as follows:

**Monday through Sunday 11:00 P.M. to 12:00 A.M.**

In accordance with the provisions of Section 94-145 (B) of Chapter 94 of the revised ordinances of the City of Medford

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 September 20 and September 27 of 2016

**MOTIONS, ORDERS AND RESOLUTIONS**

**16-697**-Offered by Vice President Lungo-Koehn

**CITY OF MEDFORD**

**Call for State Election**

**November 8, 2016**

**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 , NOV 8, 2016**, to assemble at the polling places in their respective wards and precincts, then and there to give in their votes for: **PRESIDENT AND VICE PRESIDENT; US REPRESENTATIVE THE 5TH DISTRICT ; GOVERNORS COUNCIL IN THE 6TH DISTRICT; STATE SENATOR IN GENERAL COURT ;2ND MIDDLESEX DISTRICT ; STATE REPRESENTIVE IN GENERAL COURT, 23RD,34TH,AND 35 TH MIDDLESEX DISTRICT; SHERIFF MIDDLESEX COUNTY and such other vacancies as may exist or occur as well as Questions 1, 2, 3, 4 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 designed for use at the State Election on **NOVEMBER 8, 2016**.

**Voting Precincts**

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.
  
- 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 Walkling Ct./Auburn and North Street (Fondacaro Center)
  
- Ward 5 Precinct 1 Columbus Elementary School, 37 Hicks Ave.
- Ward 5 Precinct 2 Columbus Elementary School, 37 Hicks Ave.
  
- Ward 6 Precinct 1 West Medford Fire Station, 26 Harvard Ave.
- Ward 6 Precinct 2 Brooks School, 388 High Street (Allston St. Entrance)
  
- 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

**16-698**-Offered by Vice President Lungo-Koehn

Be It Resolved that the administration provide the Medford City Council with an update regarding the Republic Parking contract and what has transpired with regards to the sale of the company and the negotiations the city was working on.

**16-699**-Offered by Councillor Knight

Be It Resolved the Medford City Council congratulate the following the individuals on their recent election to class officer at Medford High School and Medford Vocational Technical High School.

Grade 12:

President: Anthony McKillop

Vice-President: Trisha MacLean

Secretary: Scott Harris

Treasurer: Claudiegh Decoline

Grade 11  
President- Wendy St. Jules  
VP- Justin Tseng  
Secretary- Katelyn Parziale  
Treasurer- Mia McGillicuddy  
MVTHS Rep- Noah Kreatz

Grade 10:  
President: Michael Palmer  
Vice-President: Kevin Casey  
Secretary: Michael Branley  
Treasurer: Meghan Smith  
Vocational Representatives: Abigail Brady, Patrick Fanning

Grade 9  
President- Arielle Terranova  
Vice President- Ebyan Abshir  
Secretary- Frances Flood  
Treasurer- Leanne Puccio  
MVTHS Reps- Sahvanah Marino, Kameron Hardy

Be it further resolved these individuals be invited a future city council for the purpose of receiving an official council commendation.

**PETITIONS, PRESENTATIONS AND SIMILAR MATTERS**

**16-700-**

Petition for Common Victualler License by Felicita D'Alelio, 452 Broadway, Somerville, MA for Tia's Place, 84 Spring St, Medford, MA

ON File

Business Certificate # 204	Treasurer
Building Dept.	Letter of Compliance
Fire Dept	Tax Identification
Police Traffic Impact	Workmen's Compensation
Health Dept.	Petition

**COMUNICATIONS FROM THE MAYOR**

**16-701-**

September 29, 2016

To: President DelloRusso and Members of the Medford City Council  
From: Stephanie M. Burke, Mayor  
Re: Appropriation Request-Public Works

Dear Mr. President and City Councillors:

I respectfully request and recommend that your Honorable Body approve an appropriation of \$165,000 for the following purposes:

**Department of Public Works:**

Highway-Ordinary-Catch Basins-	010-422-5530	\$100,000
Highway-Ordinary-Sidewalks-	010-429-5251	\$ 25,000
Forestry-Ordinary-Trees/Planters-	010-495-5380	\$ 30,000

**Traffic Commission**

Ordinary-Street Signs-	010-293-5530	\$ 10,000
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This money is available from the FEMA reimbursement for the winter storms occurring in winter of 14/15.

Thank you for your consideration of this request. DPW Commissioner Brian Kerins will be on hand to answer any questions you may have.

Sincerely,

(SIGNATURE FILE/PAPER)

Stephanie M. Burke, Mayor

16-702-

September 28, 2016

To: President Frederick Dello Russo and  
Members of the Medford City Council

From: Mayor Stephanie M. Burke

Re: Home Rule Petition- Increasing the Number of Licenses available for the  
Sale of Wine and Malt Beverages

Dear Mr. President and City Councillors:

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 available for the sale of wines and malt beverages in the City of Medford.

As you know, the number of such licenses is presently limited by Chapter 210 of the Acts of 2008 to twenty-five (25). If this Home Rule Petition is approved by the Council and later by the General Court, it will increase the available number of these licenses in the City of Medford to forty (40).

### **HOME RULE PETITION**

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

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. (a) 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 or any other general or special law or any rule or regulation to the contrary, the licensing authority of the city of Medford may, subject to the approval of the alcoholic beverages control commission, grant not more than 40 licenses for the sale of wines and malt beverages to be drunk on the premises under section 12 of said chapter 138 to restaurants with a seating capacity of at least 19 persons.

(b) The licenses shall be granted in economic development areas, the boundaries of which are described as follows in accordance with the 2000 United States census:

(i) West Medford Area: Census Tracts 3393 and 3392; (ii) Medford Square Area: Census Tract 3391; (iii) Hillside Area: Census Tracts 3394, 3395, 3399 and 3400; (iv) South Medford Area: Census Tracts 3396 and 3397; and (v) Wellington Area: Census Tract 3398.

(c) A license granted under this section shall only be exercised in the dining room of a restaurant and in such other public rooms or areas as may be deemed reasonable and proper by the licensing authority as certified in writing. The licensing authority shall not require as a condition to granting of a license under this section that parking be provided for the licensed establishment other than the parking that is required by

applicable zoning laws or regulations. Licenses granted under this section shall be subject to all of said chapter 138 except said sections 11 and 17.

(d) The licensing authority shall not approve the transfer of a license under this act to any area outside the economic development area but a license may be re-issued by the licensing authority to an establishment within that area if the applicant for the license files with the licensing authority a letter in writing from the department of revenue indicating that the license is in good standing with the department and that all applicable taxes have been paid.

(e) If a license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location and under the same conditions as specified in this act.

(f) Notwithstanding any general or special law to the contrary, the licensing authority may grant special licenses for the sale of wines and malt beverages to be drunk on the premises pursuant to section 14 of said chapter 138 and the granting of such special licenses shall be subject to the same conditions for the granting of licenses pursuant to section 12 of said chapter 138 as specified in this act.

SECTION 2. Chapter 210 of the acts of 2008 is hereby repealed.

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

Sincerely,

(signature file/paper)

Stephanie M. Burke, Mayor

16-703-

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

Date: October 4, 2016

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

Fr: Stephanie M. Burke, Mayor

Claimant Name: Rita Muzarol v. City of Medford

Date of Accident: December 10, 2014  
 Date of Settlement: October 4, 2016  
 Date of Trial Result: N/A  
 Amount of Request: \$ 5000.00  
 Claimant's Attorney: Thomas Colonna, Esquire

Description of Alleged Claim:

The claimant, Rita Muzarol, 81 years old, of 10 Chestnut Street Medford, MA 02155 seeks compensation for injuries suffered as a result of a street defect, when crossing Oakland Street in Medford, Massachusetts. On December 10, 2014, the claimant slipped and fell. As a result of her fall, she sustained injuries to her left knee, including a sprain and bone contusion, and a torn meniscus. She was treated at Winchester Hospital as well as Excel Orthopedic and Precision Physical Therapy. Her medical bills were in excess of \$ 6900.00. The necessary Release has been obtained from the claimant.

Breakdown to Amount Requested:

Medical Cost: \$ 6,927.00  
 Lost Wages: -0-  
 Property Damage: -0-  
 Other: -0-  
 Total Settlement: \$ 5000.00

**UNFINISHED BUSINESS**

<b><u>'15-605</u></b>	Hearing National Grid & Verizon Canal St		
	IN CITY COUNCIL	AUGUST 11, 2015	TABLED
<b><u>'15-816-</u></b>	Transfer \$250,000 from sale of real estate for 5 kiosks improvements		
	IN CITY COUNCIL	DECEMBER 22, 2015	TABLED
<b><u>'16-009-</u></b>	No Confidence		
	IN CITY COUNCIL	JANUARY 5, 2016	TABLED Council Rule 29

<b><u>'16-063</u></b>	School Committee Policies Future Bomb Threats		
	IN CITY COUNCIL	FEBRUARY 9, 2016	TABLED
<b><u>16-472</u></b>	Accounting Use of school facilities for Fee or Donation		
	IN CITY COUNCIL	MAY 10, 2016	TABLED
<b><u>'16-529</u></b>	Residents address pedestrian safety		
	IN CITY COUNCIL	JUNE 7, 2016	TABLED
<b><u>'16-636</u></b>	Special Permit use Keno Monitor NK Convenience 562 High St		
	IN CITY COUNCIL	SEPTEMBER 20, 2016	TABLED
<b><u>'16-667</u></b>	Legal Age of 21 to purchase tobacco in Medford		
	IN CITY COUNCIL	SEPTEMBER 20, 2016	FIRST READING PASSED
<b><u>'16-674</u></b>	Loan Order \$1,800,000 City Hall Roof / Façade		
	IN CITY COUNCIL	SEPTEMBER 20, 2016	TABLED
	IN CITY COUNCIL	SEPTEMBER 27, 2016	FIRST READING PASSED

**PUBLIC PARTICIPATION**

**COUNCIL PAPERS IN COMMITTEE**

**Reports Due/ Deadlines**

**Records:**

The Records of the Meeting of September 27, 2016 were passed to Councillor Falco.

**Adjournment:**