

Tuesday, Aug. 8, 2023

Mayor's Newton Update

Flash Floods Across Newton

This morning's storm dumped 2.77 inches of rain here in Newton in less than two hours.

Like cities and towns across Massachusetts, Newton's storm water infrastructure cannot handle this volume of rainfall in that short period of time. We had flash flooding across the city, including Homer Street (and the Newton Free Library parking lot), Albemarle Road, Union Street, Selwyn Road, and Border Street.



Most areas of flooding have receded; however, we have areas that are taking a little longer to drain. Cleanup will continue into the evening and into the following days.

We have crews out assessing the City. They are looking for any dislodged manhole covers or stormwater grates, sinkholes and debris.

We would appreciate your help. If you see areas of extreme damage, please report these to Newton Customer Service via 311 or by phone call (617-796-1000).

To put this morning's deluge into context, the National Weather Service data shows typical rainfall in our area for the entire month of July at 3.3 inches. However, this July we experienced 10 rainy days with 10.4 inches of rain. That's a lot of rain –

the most we've seen in the Boston area since 1921.

(Photos: Top is the library this morning at 10:30 a.m. when the water was high. On the bottom is the parking lot three hours later at 1:30 p.m. as the water is receding.)

This amount of rain creates a lot of water in our soil. This in turn means conditions like this morning where we have flash flooding within a short time of heavy rainfall, often within three hours.

As we saw in in Newton this morning and in Vermont a few weeks ago, these kinds of floods can be scary and dangerous.

Newton Fire Chief Greg Gentile is providing information from the Massachusetts Emergency Management Agency (MEMA) so we can be familiar with what to do should we ever find ourselves in the midst of a flash flood.

If you must evacuate or are traveling during flooding:

- Do not walk through flowing water; drownings occur during flash floods. Six inches of swiftly moving water can knock you off your feet.
- Remember when driving the phrase *“Turn Around, Don’t Drown.”* Don’t drive through flooded roads. Cars can be swept away in only two feet of moving water. If your vehicle is trapped in rapidly moving water, stay in the vehicle. However, if the water is rising inside the vehicle, seek refuge on the roof.
- Do not drive around road barriers. Roads and bridges ahead may be washed out or structurally unsound.

While a flash flood happens fast, it can take longer for water to recede. Follow these safety tips for flood conditions and other emergencies:

- Stay away from downed utility wires. Always assume a downed power line is live. Electrocution is a serious danger in floods as electrical currents can travel through water.
- Stay out of damaged buildings and away from affected areas or roads until authorities deem them safe.
- If your power is out, call Eversource at 1-800-592-2000 or online [here](#) to report outages. MEMA also has power outage safety tips [here](#).
- Look before you step. Debris, including broken bottles and nails, can cover the ground or floors after a flood. Sometimes a manhole cover gets dislodged. Plus, mud covered floors and stairs can be slippery.

Find more information at [mass.gov/flood-safety](https://www.mass.gov/flood-safety).

Synthetic Turf Field Update

Newton has three synthetic turf fields, one at Newton North High School and two at Newton South. All three were installed about 13 years ago and have outlived their 10-year life span.

Our high schools have more sports teams with more athletes competing than ever before. Our youth and adult leagues are bustling. Coaches and parents are clamoring for more field time, especially on fields in excellent condition.

Weather in New England makes keeping natural grass fields in safe playing condition at high usage areas like our high schools very difficult. Synthetic turf

fields which can be used during and immediately after rain can provide triple the playing time compared to grass. They are also fully ADA accessible.

We're in the midst of replacing the synthetic turf at the two fields at South. We will replace the Newton North stadium synthetic field next summer. We will be installing a fourth synthetic turf field at the Halloran Sports & Recreation Complex (Albemarle Playground) along Crafts St. that the Newton North athletes can use (creating parity with Newton South). With two synthetic fields on the North and another two on the South, our recreation leagues will have more availability.



(Photo: The new synthetic turf field being installed at Newton South.)

We are taking great care in replacing these synthetic turf fields and making sure that the components of our "old" fields are

recycled. Understandably, residents, environmentalists and City Councilors asked many questions, and we did a lot of research before moving forward.

When the old turf fields (a.k.a., the "carpet") were removed late last month from Newton South, our contractor took precautions so that the materials (known as crumbs) were confined within the work site. We also vacuumed several storm basins as a precaution after the removal was done.

The wetlands near Newton South were carefully protected in compliance with an order of the Newton Conservation Commission. Newton's Chief Environmental Planner Jennifer Steel went to the site last week after the carpet was removed and confirmed that the erosion controls protecting the wetlands and the 100-foot buffer had been effective.

Several truckloads of materials from Newton have been delivered to APW Enterprises in Pottstown, Pennsylvania. There the rolls of old turf will have the infill removed, dried, cleaned, sized, separated, and bagged for reuse as new synthetic turf fields. The carpet will be re-rolled, shipped to a recycling plant, also in Pennsylvania, and converted into new plastic lumber products for benches, decks, and boardwalks, among other things.

Our new synthetic fields will use a better infill material rather than the crumb rubber from a decade ago. The new thermoplastic elastomer (TPE) infill is non-toxic. TPE is more flexible and cooler. TPE can be 100% recycled and reused as infill when the fields are eventually replaced.

Our investment in synthetic turf fields complements the substantial investments we are making in grass fields. The Community Preservation Committee and City Council approved our \$9.1 million Parks, Recreation & Culture Department

request to renovate the grass fields at Burr School, McGrath Park, and Albemarle.

Sports lighting is being replaced at Forte Field and Albemarle while new lights are being added at Newton North with American Rescue Plan funding. We added lights at the two Newton South fields in the last few years, with great financial support from the South boosters for one and American Rescue Plan funds for the other.

Simultaneously, we have significantly increased the maintenance budget for the grass fields and our youth sports partners are also contributing. (Thank you, thank you.)

Want to learn more about all our field projects? [Click here](#).

We consciously staged the synthetic turf upgrades before turning to the grass fields. These well-lit and resurfaced school fields help create more field space availability to our student athletes, and to some extent our sports groups, before the grass field improvements in our parks get underway.

We'll let you know when we'll be at Newton South to celebrate the Lions in September on the renovated fields (as well as the resurfaced running track ringing the field).

Triple Murder Update

Newton District Court Judge Jennifer Queally on Monday ruled that Christopher Ferguson is not currently competent because of his mental health to stand trial in the murder of Jill and Bruno D'Amore and Jill's mother, Lucia Arpino, in their Newton home six weeks ago.

The Judge based the ruling on a medical evaluation completed last week. She ruled that Ferguson should remain at Bridgewater State Hospital, a psychiatric facility. According to the Boston Globe, Ferguson's attorney said his client will have his competency reevaluated every six months.

According to the Boston Globe, "Despite the ruling, it is expected Ferguson will be indicted by a grand jury in the coming weeks, according to his lawyer, Dmitry Lev. A Superior Court judge will then decide whether to adopt the results of the current competency evaluation or order a new one."

The Boston Globe article also noted that "State law also allows lawyers to argue that criminal charges be dropped if the defendant's mental state does not improve after a certain amount of time or if allowing the defendant to remain in a mental health facility permanently is 'in the interest of justice.'"

As the judicial system continues to address this horrific act of violence, our thoughts are with the family, friends and neighbors of our beloved Newton residents, Mr. and Mrs. D'Amore and Mrs. Arpino.

Their tragic loss continues to be agonizing.

Cannabis Update

With a number of changes underway at the state level and a few here in Newton, an update on the status of Newton marijuana businesses seems timely. We now have three types of cannabis businesses operating in Newton — retail stores, delivery operators, and a research/development laboratory.

Retail Stores in Newton:

Newton voters authorized the City to allow eight retail stores to open to sell cannabis products to customers over the age of 21. (The eight retail stores are also allowed to provide delivery.) Three retailers are presently operating (Garden Remedies, Ascend, Redi). A fourth (Green Lady) is about to open. Four additional Special Permits for retail stores have been approved by the City Council and are not yet open.

- Garden Remedies, 697 Washington Street (retail sales approved May 2019)
- Ascend, 1089 Washington Street (Opened December 2021)
- Redi, 24-26 Elliot Street (Opened July 2021)
- Green Lady, 740 Beacon Street (Expected to open soon)
- Verilife/Pharmacannis, 232 Boylston Street (Special Permit Approved by the City Council/Building Permit Approved)
- Nuestra, 1185 Chestnut Street (Special Permit Approved by the City Council/Currently in the process of getting a Building Permit)
- Community Care Collective, 131 Rumford Avenue (Special Permit Approved by the City Council/No Request for Building Permit yet received)
- Union Twist, 1158 Beacon Street (Special Permit Approved by the City Council/No Request for Building Permit yet received)

As a reminder, in December 2018, the City Council updated our Zoning Ordinances to govern cannabis establishments. Marijuana uses are restricted to certain commercial and manufacturing zones and numerous standards and criteria are placed on the different types of marijuana uses. The City has a requirement for a half-mile buffer between all marijuana retailers and dispensaries and a 500-foot buffer zone for any public or private K-12 school.

Delivery Only Establishments in Newton:

Delivery Only Establishments buy and store wholesale products from growers and manufacturers and deliver orders by secure vehicles directly to customers (21 years or older) at their place of residence. No retail business can be conducted at their facility. The Massachusetts Cannabis Control Commission set aside intentionally the “delivery operator license” for the first three years of the program to only those entities certified as “economic empowerment or social equity” firms. Newton has two delivery only establishments which are allowed by-right in manufacturing and limited manufacturing zones.

- Rolling Releaf, 69 Adams Street (Opened January 2023)
- Blue Sky, 16 Maguire Court (Currently in the process of getting a Building Permit)

Research and Development Establishments in Newton:

- Curaleaf Processing, 241 Riverview Avenue (Special Permit Approved by the City Council/Currently Open)

Changes at the State Level

Originally, under state law, marijuana establishments were required to execute Host Community Agreements (HCAs) with the municipalities in which they operated. At that time, the HCA could include a community impact fee of up to 3% of gross sales to be paid to the host community and the payment was limited to a term of 5 years.

In August 2022, Governor Baker signed a new comprehensive cannabis regulation law which eliminates the inclusion of community impact fees in host community agreements after the first 8 years of a licensee’s operation. In addition, the Massachusetts Cannabis Control Commission (CCC) needs to approve each HCA annually. Furthermore, the use of the HCA funds by the City or Town became more restrictive. The Law requires municipalities to document direct impact costs and places other limits on municipalities as well as financial penalties on municipalities for non-compliance. The City of Newton is anticipating the state to enact additional regulations which will place even further limits on HCAs to go into effect May 1, 2024.

In our current fiscal year (FY24), the City will invest approximately \$510,000 in HCA funds on Newton Public School psychologists, social workers and therapeutic services as well as the police community dog Leo, Health & Human Services programs, and emergency clinician services.

The 2022 Law also requires municipalities with marijuana businesses to establish policies to promote social equity. In June 2023, the City of Newton adopted a new set of policies for its cannabis permitting program to further promote equity and encourage new social equity applicants to establish businesses in Newton. Further information on Newton’s social equity policies is available on the City’s dedicated website [here](#). The City of Newton has three social equity businesses

that have been approved including Nuestra, a retailer, and our two delivery operators, Blue Sky and Rolling Releaf.

Congratulations to two Newtonians, Ann Houston and her husband Henry Korman, who the Citizens' Housing and Planning Association (CHAPA) recently recognized with "Outstanding Impact Awards" for their decades long outstanding work to advance affordable housing.



Ann serves as Chair of Newton's Affordable Housing Trust. She brings to us over 40 years of experience in creating affordable housing with organizations across Massachusetts. Most recently, before retiring last year, Ann served as the founding CEO of Opportunity Communities which provides mentoring and technical support to community-based affordable housing organizations. Henry, who also recently retired, spent his career as an attorney specializing in affordable housing development with particular expertise in civil rights and fair housing. Most recently, Henry served as General Counsel at 2Life Communities.

Targeted Home Break-Ins Outside of Newton

District Attorney Marian Ryan is alerting people across Middlesex County (in which Newton is located) that burglars are targeting homes of people of Indian and South Asian descent.

We've double checked our database and so far the Newton Police are not seeing any indication that break ins here are targeted toward any specific group of people.

This summer from June 1 through Aug. 4, two Newton homes have been broken into. None have been at the homes of people of Indian or South Asian descent and there is no commonality between the incidents, according to Newton Police Superintendent George McMains. (By way of comparison, for the same time period in 2022, we had seven residential home break ins, and in 2021, we had five.)

In 2021, we did see a series of break-ins in Newton targeting residents of Asian descent. Newton Police cracked the case with two men indicted for the crimes and currently awaiting trial.

The break-ins across Middlesex County this year have occurred in Burlington, Carlisle, Chelmsford, Hopkinton, Lincoln, and our neighbor Weston. The burglars

appear to be targeting people when they are away on vacation. District Attorney Ryan is reporting to the Boston Globe at least 14 break-ins since January at the homes of people of Indian and South Asian descent.

She advises that we be very conscious about the information we give out about being away, and especially about what we post on social media.

The Newton Police also recommend several precautions:

- Lock the doors and windows of your home and your car.
- Tell a trusted neighbor or friend when you are away.
- Notify the post office to stop your mail when you are away and stop newspaper deliveries so they don't pile up on your doorstep or driveway.
- Remove any ladders or furniture from your yard that could be used to climb to a second story window or balcony.
- Get a timer to turn on lights when you are not at home and consider adding motion detecting lights outside your home.
- Leave a battery powered radio on when you're gone so it sounds like people are home.

You can also consider getting an alarm system or a security camera to video record people who are on your property or who come to your door.

The Newton Police Department also has officers trained and available to provide home safety evaluations at residents' homes. Make an appointment by calling Sgt. Dan Valente at (617) 796-3640.

It's Mosquito Season

It's that time of year when mosquitoes are out and biting. Mosquitoes can spread diseases that make you sick. Be careful especially as mosquitoes in [cities and towns surrounding Newton](#) have tested positive for [West Nile Virus \(WNV\)](#). Protect yourself and your family.



Levingston Cove Improvements

Significant improvements to Levingston Cove at Crystal Lake are moving forward with one hiccup. You can already see from Lake Avenue beautiful, level pathways, the universal access to a new fishing platform, and seating areas. We removed a significant amount of invasive plants. Thanks to major stormwater management improvements, the new native plantings which have already been installed are well protected and thriving, even with the recent rainfall.

We expected to open the new park in July or perhaps August, but supply chain

issues have delayed

delivery of the safety railing for the observation deck from the metal subcontractor. We're looking on the bright side – this gives the grounds more time to establish. Stay tuned.

Ballots Set for Sept. 12 Preliminary and Nov. 7 Municipal Elections

Election staff in City Clerk Carol Moore's office have certified candidate signatures and barring challenges filed by the Thursday, Aug. 10 deadline, the ballots are now set for a preliminary election on Tuesday, Sept. 12 and a Municipal Election on Nov. 7.

There are six contested races for our 24 member City Council. All eight candidates for the School Committee are running unopposed.

Preliminary Election, Tuesday, Sept. 12

Voters in Wards 2 and 6 will cast ballots to whittle the field of three candidates to two to fill the open ward only seats on the City Council. The top two vote getters in each race will face off in the Municipal Election on Nov. 7.

- The three candidates in Ward 2 are Peter Bruce, Daniel Gaynor and David Micley. (Incumbent City Councilor Emily Norton is not seeking re-election.)
- The three candidates running in Ward 6 are Martha Bixby, Lisa Gordon and Mark Holt. (Incumbent City Councilor Brenda Noel is not seeking re-election.)

Municipal Election, Tuesday, Nov. 7

The Newton City Council has 24 members. One ward councilor is elected from each ward, and two councilors are elected citywide from each ward. In addition to Wards 2 and 6, there are also contested ward races in Wards 4 and Ward 8.

- The candidates in Ward 4 are Randall Block and Doris Ann Sweet. (Incumbent Chris Markiewicz is not seeking re-election.)
- The candidates in Ward 8 are Incumbent Holly Ryan and Stephen Farrell.

Two citywide seats on the City Council have contested races:

- The candidates in Ward 5 are Incumbent Deborah Crossley, Incumbent Andreae Downs and Rena Getz.
- The candidates in Ward 6 are Incumbent Alicia Bowman, Incumbent Victoria Danberg, and Alan Lobovitz

Vote by Mail

Vote by mail applications were mailed to all voters in Newton in January which included an option to receive mail-in ballots for all 2023 elections. If you filled out that option and returned the application, a ballot will be mailed to your home to vote in Preliminary Election if you live in Ward 2 or 6, and to all voters for the Municipal Election. The City Clerk's Office is planning to send ballots out three to four weeks before the election.

If you haven't previously filled out an application to receive a mail-in ballot, you can either stop in at the City Clerk's Office on the first floor of City Hall at 1000 Comm Ave., or apply online [here](#).

Early In-Person Voting for Tuesday, Sept. 12 Preliminary City Council Election

Early, in-person voting for Ward 2 and Ward 6 voters will be held at City Hall on two days:

Tuesday, Sept. 5 from 8:30 a.m. to 5:00 p.m.

Wednesday, Sept. 6 from 9:00 a.m. to 8:00 p.m.

Early In-Person Voting for Tuesday, Nov. 7 Municipal Election

In-person voting for the Nov. 7 municipal election will be held at City Hall for five days:

Saturday, Oct. 28 from 11:00 a.m. to 5:00 p.m.

Sunday, Oct 29 from 11:00 a.m. to 5:00 p.m.

Monday, Oct. 30, from 9:00 a.m. to 8:00 p.m.

Tuesday, Oct. 31, from 8:30 a.m. to 5:00 p.m.

Wednesday, Nov.1, from 8:30 a.m. to 5:00 p.m.

Voting In-Person on Sept. 12 and Nov. 7

Polls will open for the Preliminary Election in Wards 2 and 6 and for the Municipal Election citywide on Tuesday, Nov. 7 from 7:00 a.m. to 8:00 p.m.

You can find your ward and precinct [here](#), and your polling location [here](#).

Gath Pool "Retirement" Party



Celebrate the end of an era at Gath Pool this Friday, Aug 11, from 6:00 to 7:30 p.m. Swimming is free, and we'll have music, lawn games, arts and crafts for the kids, and more.

After 58 years, the current Gath Pool on Albemarle Road is closing for the season – and for good - on Saturday, Aug. 19.

(Photo: To the right of the woman with the goofy party hat is Newton's Director of Cultural Development Paula Gannon and to her left is Commissioner of Parks, Recreation and Culture Nicole Banks.)

We're closing Gath a few weeks early this season because of significant water loss at the pool and to get prepared for the construction of the new pool complex. We're constructing two new pools (one for recreation and the other for laps / swim team), a big splash pad, a diving board and a slide, and significantly improved accessibility. We'll be open for the start of the swim season next June 2024.

People with the Gath aquatic passes can enjoy access to Crystal Lake for the last few weeks of August. We plan to extend the swimming hours as well as the season at Crystal Lake. Stay tuned for the exact hours/dates as we line up lifeguards.

Interested in staying up to date on Gath Pool and all the exciting initiatives underway in the Albemarle Road area from new fields to traffic improvements? We've created a new consolidated webpage to help everyone stay informed of the various stages of planning, design and construction. For a quick update with links to more details visit newtonma.gov/Albemarle. For a more interactive presentation, see this [StoryMap page](#).

Warmly,

Ruthanne

P.S. **Celebrate India** in Newton on Sunday, Aug. 13 with an afternoon of Indian dance, music, art and culture at the Bandstand at the Hyde Community Center, 90 Lincoln Street in Newton Highlands from 4:00 to 7:00 p.m. (Rain date, Sunday, Aug. 22, same time and location.)



P.P.S. Join **Walk and Talk Health**, a weekly Thursday morning one-mile group walk through the Mount Ida Campus, 100 Carlson Avenue (indoors if it's rainy). Walk on Thursday mornings from 9:30 to 10:30 a.m. starting on Sept. 7. Newton Parks, Recreation and Culture, Newton Wellesley Hospital, and the Mount Ida Campus of UMass Amherst are hosting. Once every three months, a Newton Wellesley Hospital health professional will join the walk to discuss a variety of health topics and answer questions. The first topic on Thursday, Sept. 7 will be *Quick Tips for a Heart Healthy Lifestyle*. Registration is required to join the group. Register online at newtonmarec.com or call 617-796-1506.



P.P.P.S. Just finished a puzzle and hankering to start a new one? The second annual **Puzzle Swap** is this Saturday, Aug. 12 at the Newton Free Library, 330 Homer St. Stop by Druker Auditorium between 2:00 and 3:00 p.m. and bring a puzzle and take another one home. Bring as many as you like, and take as many as you bring. Questions? Email Aiden at athomas@minlib.net.

P.P.P.P.S. It's election and contract negotiation season in Newton and that means more signs are popping up on lawns throughout the City. **Lawn signs** no larger than 3-feet by 3-feet *can* be displayed on private property as long as they are not placed in a location that would block traffic visibility. Signs *cannot* be put on public property which includes traffic islands, the center island along Commonwealth Avenue, parks, and sidewalk berms. (No signs on berms, the strip of grass between the paved portion of a sidewalk and the curb.) Signs also can't be artificially illuminated – so no lights. There's no limit on the number of signs we can display on our own property.
(Photo: Sidewalk berm)



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