



## City Council Actions

### In City Council

Monday, May 20, 2024

**Present:** Councilors: Albright, Baker, Bixby, Block, Danberg, Downs, Farrell, Gentile, Getz, Greenberg, Grossman, Humphrey, Kalis, Kelley, Krintzman, Laredo, Leary, Lipof, Lobovits, Lucas, Malakie, Micley, Oliver and Wright

**Clerk's Note:** The full Council meeting can be viewed on the following link:

[https://www.youtube.com/watch?v=pliA6\\_wP3yU&list=PLqJiDbsvfNjWDZBeyh6bGp4ZmOCnq-pDR](https://www.youtube.com/watch?v=pliA6_wP3yU&list=PLqJiDbsvfNjWDZBeyh6bGp4ZmOCnq-pDR)

### **The City Council discussed the following items on Second Call:**

- #79-24**      **Request to amend Special Permit #395-22 to allow for a cash payment in lieu of providing IZ units at 136-144 Hancock Street**  
TERRENCE P. MORRIS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend the special permit to substitute a cash payment in lieu of providing the units at 136-144 Hancock Street, Ward 4, Auburndale, on land known as Section 43 Block 31 Lot 01, containing approximately 58,492 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 5.11.5.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Held 7-0 (Councilor Downs Not Voting) on February 6, 2024**  
**Land Use Held 8-0 on March 12, 2024**  
**Land Use Approved Withdrawal Without Prejudice Subject to Second Call 8-0; Public Hearing Closed 8-0**  
**City Council Approved 19-5 (Councilors Farrell, Gentile, Kalis, Malakie and Micley opposed)**
- #189-24**      **Approval of the 75% design of the Washington Street Pilot**  
HER HONOR THE MAYOR requesting the approval of the 75% design for the Washington Street Pilot  
**Public Facilities Approved 7-0 (Councilor Danberg not voting)**  
**Item Chartered by Councilor Oliver on 05/20/24**

**The City Council voted without discussion 23 Yeas, 0 Nays, 1 Absent, to Accept the Committee Recommendations on the following (with the exemption of items 164-24 and 215-24 22 yeas, 0 nays, 1 Absent (Councilor Kelley and 1 recusal (Councilor Block):**

**#207-24 Request for a Special Permit to waive 15 parking stalls at 1173-1177 Walnut Street**  
HAEMEE, INC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the basement space for use as an office and waive 15 parking stalls at 1173-1177 Walnut Street, Ward 6, Newton Highlands, on land known as Section 52 Block 39 Lot 01, containing approximately 10,799 sq. ft. of land in a district zoned BUSINESS 1. Ref: Sec. 7.3.3, 5.1.4, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.  
**Land Use Approved 8-0; Public Hearing Closed 8-0**

**#182-24 Request for discussion and possible amendments to allow for-profit schools by-right**  
COUNCILORS LUCAS, KELLEY, LAREDO and LOBOVITS requesting a discussion with the Planning and Development Department to possibly amend Newton's Zoning Ordinance to allow Schools or other educational purposes, for-profit to be allowed by right.  
**Zoning & Planning No Action Necessary 8-0**

**#225-24 Requesting possible amendments to the short-term rental ordinance**  
COUNCILORS BAKER AND OLIVER on behalf of the Zoning & Planning Committee requesting amendments to the short-term rental ordinance to require that the property owner be listed as the operator, and other amendments to strengthen the ordinances relating to short-term rentals.  
**Zoning & Planning Approved 8-0**

**Referred to Programs & Services and Finance Committees**

**#192-24 Authorization to transfer \$85,000 for HHS nursing staffing**  
HER HONOR THE MAYOR requesting authorization to transfer the sum of eighty-five thousand dollars (\$85,000) from Account # 0150103-511001 Health & Human Services Clinical Health, Full Time Salaries to Account # 0150103-531300 Temporary Staffing for nursing staff.  
**Programs & Services Approved 6-0**  
**Finance Approved 8-0 on May 13, 2024**

**Referred to Programs & Services and Finance Committees**

**#197-24 Requesting authorization to transfer \$125,000 for Law Department legal services**

HER HONOR THE MAYOR requesting authorization to transfer the sum of \$125,000 from Account # 0110851-511001 Law Department, Full Time Salaries to Account # 0110851-530900 Legal Services.

**Programs & Services Approved 6-0**

**Finance Approved 8-0 on May 13, 2024**

**#200-24**

**Appointment of Donald Siegel to the Newton Housing Authority**

HER HONOR THE MAYOR appointing Donald Siegel, 82 Paulson Road, Waban as a member of the Newton Housing Authority for a term of office set to expire on May 20, 2029. (60 Days: 06/15/2024)

**Programs & Services Approved as Amended changing “2029” to “2027” 6-0**

**Programs & Services was polled at committee to change the Committee vote back to 2029 which passed unanimously**

**#226-24**

**Resolution to declare June 9, 2024 George Mansfield Day**

COUNCILORS BAKER AND LAREDO requesting a resolution to declare June 9, 2024 George Mansfield Day in the City of Newton.

**Programs & Services Approved 6-0**

**#164-24**

**Requesting a discussion with the Police Department on the work of the Dedication to Community consultants**

COUNCILORS LAREDO, BIXBY, KALIS, HUMPHREY, DOWNS, LIPOF, MALAKIE, ALBRIGHT, LOBOVITS, FARRELL, WRIGHT, LUCAS, GROSSMAN AND MICLEY requesting a discussion with the Police Department regarding the work of the Dedication to Community consultants.

**Public Safety & Transportation No Action Necessary 6-0**

**Referred to Public Safety & Transportation and Finance Committees**

**#215-24**

**Appropriation of \$1,350,000 for Fire Rescue Overtime**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one million three hundred and fifty thousand dollars (\$1,350,000) from June 30, 2023 Certified Free Cash to Acct # 0121022-513010 Fire Rescue - Regular Overtime.

**Public Safety & Transportation Approved 5-0 (Councilor Downs Not Voting)**

**Finance Approved 8-0 on May 13, 2024**

**#210-24**

**Eversource petition for Grant of Location for 160 Charlemont Street**

EVERSOURCE ENERGY petitioning for a grant of location to install and maintain approximately 1174 feet of conduit in an easterly direction from manhole MH31725, at

the intersection of Needham Street and Charlemont Street and to install and maintain two new manholes: MH31903 and MH31904 (Ward 8)

**Public Facilities Approved 6-0 (Councilors Kalis and Gentile not voting)**

**#213-24 Eversource petition for Grant of Location for 156 Oak Street**

EVERSOURCE ENERGY petitioning for a grant of location to install and maintain approximately 2644 feet of conduit in a southeasterly thence easterly direction from pole 322/11, approximately 240 feet northwest of Sweet Street and install and maintain three new manholes; MH31744, MH31901 and MH31743 (Ward 5)

**Public Facilities Approved 7-0 (Councilor Gentile not voting)**

**#212-24 Eversource petition for Grant of Location for 90 Christina Street**

EVERSOURCE ENERGY petitioning for a grant of location to install and maintain approximately 1164 feet of conduit in a southeasterly direction from manhole MH31722 at the intersection of Needham Street and Christina Street and install and maintain two new manholes: MH31742 and MH31756 (Ward 8)

**Public Facilities Approved 7-0 (Councilor Gentile not voting)**

**#220-24 Approval of the installation of two raised intersections**

HER HONOR THE MAYOR requesting approval of the installation of two raised intersection, in accordance with City Ordinance Section 26-51, at the intersections of Waverley Avenue at Franklin Street, and Brookline Street at Hartman Road.

**Public Facilities Approved 8-0**

**#190-24 Authorization to accept and expend a Massachusetts Office of Travel and Tourism FY24 State budget earmark grant**

HER HONOR THE MAYOR requesting authorization to accept and expend a Massachusetts Office of Travel and Tourism FY24 State budget earmark grant in the amount of fifty-thousand dollars (\$50,000) for improvements at the Pellegrini Field House.

**Finance Approved 8-0**

**Referred to Finance and Programs & Services Committees**

**#192-24 Authorization to transfer \$85,000 for HHS nursing staffing**

HER HONOR THE MAYOR requesting authorization to transfer the sum of eighty-five thousand dollars (\$85,000) from Account # 0150103-511001 Health & Human Services Clinical Health, Full Time Salaries to Account # 0150103-531300 Temporary Staffing for nursing staff.

**Finance Approved 8-0**

**Programs & Services Approved 6-0 on May 8, 2024**

**Referred to Finance and Programs & Services Committees**

#197-24

**Authorization to transfer \$125,000 for Law Department legal services**

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred twenty-five thousand dollars (\$125,000) from Account # 0110851-511001 Law Department, Full Time Salaries to Account # 0110851-530900 Legal Services.

**Finance Approved 8-0****Programs & Services Approved 6-0 on May 8, 2024**

#204-24

**Submittal of the ACFR, and external audit reports**

COMPTROLLER transmitting the Annual Comprehensive Financial Report and external audit reports for fiscal year ending June 30, 2023 for City Council review/acceptance.

**Finance Approved 8-0****Referred to Finance and Public Safety & Transportation Committees**

#215-24

**Appropriation of \$1,350,000 for Fire Rescue Overtime**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one million three hundred and fifty thousand dollars (\$1,350,000) from June 30, 2023 Certified Free Cash to Acct # 0121022-513010 Fire Rescue - Regular Overtime.

**Finance Approved 8-0****Public Safety & Transportation Approved 5-0 (Councilor Downs Not Voting) on May 8, 2024**

#217-24

**Transfer \$5,000 for additional salary expenses for the Presidential Primary**

HER HONOR THE MAYOR requesting authorization to transfer the sum of five thousand dollars (\$5,000) from Acct # 01C10104-513010 Special Election, Regular Overtime to Acct # 0110162-512001 Elections, Seasonal Wages for the purpose of funding additional salaries required for the Presidential Primary held on March 5, 2024.

**Finance Approved 8-0**

#222-24

**Authorization to enter into a five year contract**

HER HONOR THE MAYOR requesting authorization to enter into a five year contract with a substitute staffing vendor for Newton Public Schools.

**Finance Approved 8-0**

#223-24

**Appropriation of \$13,597.21 to Newton Public Schools**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of thirteen thousand five hundred ninety-seven dollars and twenty-one cents (\$13,597.21) from June 30, 2023 Certified Free Cash (0001-3240) to Newton Public Schools for funds collected from the FY23 Helpsy textile collection and recycling.

Finance Approved 8-0**Public Hearings were set for the following items:**

- #24-24(2) Request for discussion and possible ordinance amendments relative to aiding small businesses impacted by development**  
ZONING & PLANNING COMMITTEE requesting discussion and possible amendments to Chapter 30, Zoning to incorporate the "Fast Food Establishment" use into the "Restaurant" use, allow for shared "makerspaces" and/or co-working, and define a "Place of Amusement" use.  
**Zoning & Planning Held; Public Hearing Set for 06/27/24 8-0**
- #76-24(3) Discussion and possible amendments to change how building height is measured**  
ZONING & PLANNING COMMITTEE requesting discussion and possible amendments to Chapter 30, Zoning to require that building height is measured from original grade instead of finished grade.  
**Zoning & Planning Held; Public Hearing Set for 06/10/24 8-0**

***Public Hearing 06-04-2024***

- #234-24 Request to extend the nonconforming use by constructing improvements to the club house pavilion, a snack shack, to amend Special Permits #234-10 and #449-22 at 1897 & 1947 Washington Street**  
WOODLAND GOLF CLUB OF AUBURNDALE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to extend a nonconforming use and to amend Special Permit # 234-10 and #449-22 to allow improvements to the club house pavilion, construction of a snack shack at 1897 & 1947 Washington Street, Ward 4, Auburndale, on land known as Section 43 Block 46 Lot 11, containing approximately 2,291,142 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 3.4.1, 7.8.2.C.2, 3.1.2.A.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

**The Chair's of the Public Facilities and Finance Committees asked for suspension of the rules to accept the following late file item:****Referred to Public Facilities and Finance Committees**

- #235-24 Appropriation of \$2,888,274.38 for Transportation Network Improvement Program**  
**HER HONOR THE MAYOR** requesting authorization to appropriate and expend the sum of two million eight hundred eighty-eight thousand two hundred seventy-four dollars and

thirty-eight cents (\$2,888,274.38) from June 30, 2023, Certified Free Cash to Acct #01C40112-553100 Accelerated Roads Program- Paving Supplies to support the City's Transportation Network Improvement Program

**A motion to recess the Council meet was approved, to enter into a Committee of the Whole to vote on the City's FY24 Budget, CIP, Supplemental CIP and Resolutions:**

Executive Department: passed unanimously on 05/16/24 at \$1,461,808

City Clerks Office: passed unanimously on 05/20/24 at \$2,479,397

Comptroller/Retirement: passed 23-0-1 abstaining (Councilor Grossman) on 05/16/24 at \$68,519,241

Purchasing: passed unanimously on 05/16/24 at \$623,679

Assessing: passed unanimously on 05/16/24 at \$1,411,781

Treasury: passed unanimously on 05/16/24 at \$35,101,549

Law: passed unanimously on 05/16/24 at \$2,254,762

Human Resources: passed unanimously on 05/20/24 at \$1,311,303

Financial Services: passed unanimously on 05/16/24 at \$789,368

Information Technology: passed unanimously on 05/16/24 at \$2, 646,120

Planning: passed unanimously on 05/20/24 at \$2, 654, 549

Community Preservation Program: passed unanimously on 05/20/24 at \$5,135,060

Public Buildings: passed unanimously on 05/20/24 at \$6,624,659

Police: passed unanimously on 05/20/24 at \$27,051,270

Fire: passed 23-0-1 abstaining (Councilor Block) on 05/20/24 at \$31,278,241

Inspectional Services: passed unanimously on 05/20/24 at \$2,138,498

Public Works: passed unanimously on 05/20/24 at \$34,116,319

Water fund: passed 23-0-1 abstaining (Councilor Danberg) on 05/20/24 at \$28, 318, 883

Sewer fund: passed 23-0-1 abstaining (Councilor Danberg) on 05/20/24 at \$34,595,837

Stormwater fund: passed unanimously on 05/20/24 at \$5,561,408

Health & Human Services: passed unanimously on 05/20/24 at \$5,161,765

Senior Services: passed unanimously on 05/20/24 at \$929,560

Veterans Services: passed unanimously on 05/20/24 at \$210, 729

Library: passed unanimously on 05/20/24 on 05/20/24 at \$6,561,717

Parks, Recreation and Culture: passed 22-0-2 abstaining (Councilors Farrell and Oliver) on 05/16/24 at \$9,126,430

Historic Newton: passed unanimously on 05/20/24 at \$319, 712

Newton Public Schools: passed unanimously on 05/20/24 at \$282,647,007

**The Council Voted on the below resolutions:**

Resolution for the electric bus contract passed 18-0- 6 abstention (Councilors Krintzman, Baker, Kalis, Gentile, Laredo, and Oliver)

Resolution on middle school phone pouches passed unanimously

Resolution on artificial turf failed 10- 13 nays (Councilors Albright, Baker, Farrell, Gentile, Greenberg, Grossman, Kalis, Krintzman, Leary, Lipof, Micley, Oliver and Laredo) – 1 absent (Councilor Kelley)

**The Committee of the Whole adjourned and the City Council meeting was opened.**

**Motions to Suspend the Rules to report out the following items without written reports were Approved by Voice Vote**

**Referred to Finance and Appropriate Committees**

- #8-24            Submittal of the FY2025 to FY 2029 Capital Improvement Plan**  
HER HONOR THE MAYOR submitting the Fiscal Years 2025 to 2029 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter.
  
- #194-24        Submittal of the FY2025-FY2029 Supplemental Capital Improvement**  
HER HONOR THE MAYOR submitting the FY25 – FY29 Supplemental Capital Improvement Plan.
  
- #195-24        Submittal of the FY25 Municipal/School Operating Budget**  
HER HONOR THE MAYOR submitting in accordance with Section 5-1 of the City of Newton Charter the FY25 Municipal/School Operating Budget, passage of which shall be concurrent with the FY25-FY29 Capital Improvement Program (#8-24). EFFECTIVE DATE OF SUBMISSION 04/16/24; LAST DATE TO PASS THE BUDGET 05/31/24

The Council adjourned.

**Respectfully Submitted,  
Marc Laredo, President of the City Council**