

REVISED

11:35 am, Jun 14, 2024



City Council Reports Docket

RECEIVED

By City Clerk at 11:35 am, Jun 14, 2024

June 4: Land Use

June 5: Public Facilities, Public Safety &
Transportation, and Programs & Services

June 10: Finance and Zoning & Planning

June 12: Real Property Reuse

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After the conclusion of the COW, Hybrid

To be reported on

Monday, June 17, 2024



The City Council will hold this meeting as a hybrid meeting in the City Hall Chambers on Monday, June 17, 2024, after the conclusion of the COW. To view this meeting on Zoom use this link <https://newtonma-gov.zoom.us/j/82563825662> at the above date and time:

One tap mobile

US: +13092053325, 825 6382 5662

Land line

+1 309 205 3325 US

Webinar ID: 825 6382 5662

You may also:

1. Watch a live broadcast of the meeting on NewTV's government channel (Comcast 9, RCN 13, 614(HD), Verizon 33).
2. View a live stream on NewTV's Youtube channel at:
<https://www.youtube.com/channel/UCQvNeCJkA3PftuLLvfAh3cQ>

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City of Newton

In City Council Items to be Acted Upon

Unfinished Council Business

#49-24 Discussion and possible adoption of an ordinance requiring electrification of all new construction and substantial renovations

HER HONOR THE MAYOR AND COUNCILORS ALBRIGHT, DANBERG, LEARY, HUMPHREY, KALIS, DOWNS, LIPOF, WRIGHT, MICLEY, BIXBY, AND GETZ requesting discussion and possible adoption of an Electrification Ordinance

¹ The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

that would require all new construction and substantial renovations in Newton to be all-electric. This is in conjunction with the City's recent conditional approval by the State Department of Energy Resources (DOER) for participation in the Ten Communities Program.

Zoning & Planning Held; Public Hearing Set for 02/26/24 8-0 on January 22, 2024

Zoning & Planning Held 7-1 (Councilor Kalis Opposed) on February 26, 2024

Zoning & Planning Approved 7-0 on March 11, 2024

City Council Referred Back to Zoning and Planning 22-0-2 (Councilors Grossman and Micley Absent) on March 18, 2024

Zoning & Planning Approved 7-0 (Councilor Kalis Not Voting)

City Council Voted to Postpone to a Date Certain 24-0

Referred to Land Use Committee

06/04/2024

Present: Councilors Kelley (Chair), Block, Downs, Farrell, Laredo, Leary, Lobovits, and Lucas;
also present: Councilor Danberg

#233-24 Request for update, discussion, and public comment on plans previously approved in Special Permit #394-22 at 136-144 Hancock Street

TERRENCE P. MORRIS, COUNCILORS GENTILE, KRINTZMAN, AND BLOCK requesting an update, discussion, and allowing for public comment regarding the petitioner's plan to reallocate the interior space within the proposed buildings shown on plans previously approved in special permit #394-22 to accommodate as many as 10 additional bedrooms within the project at 136-144 Hancock Street with purpose of the change being to create additional value to sustain the inclusion of two inclusionary units on site.

Land Use Voted No Action Necessary 8-0

#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.

Land Use Approved 8-0

Referred to Zoning & Planning Committee

06/10/2024

Present: Councilors Baker (Chair), Oliver, Albright, Wright, Krintzman, Getz, and Danberg;
absent: Councilor Kalis; also present: Councilors Farrell, Leary, Block, Lucas, Lobovits,
Greenberg, and Malakie

#239-24 Reappointment of Jason Korb to the Newton Affordable Housing Trust
HER HONOR THE MAYOR reappointing Jason Korb, 57 Warren Road, Newton as a full member of the Newton Affordable Housing Trust for a term of office set to expire on May 2, 2026. (60 Days: 08/02/2024)
Zoning & Planning Approved 6-0 (Councilor Krintzman Not Voting)

#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 on May 13, 2024
Zoning & Planning Held 6-0 (Councilor Krintzman Not Voting)

#240-24 Reappointment of Debora Jackson to the Economic Development Commission
HER HONOR THE MAYOR reappointing Debora Jackson, 4 Pine Meadow Drive, Auburndale as a member of the Economic Development Commission for a term of office set to expire on May 14, 2027. (60 Days: 08/02/24)
Zoning & Planning Approved 6-0 (Councilor Krintzman Not Voting)

#42-24 Request for Discussion and Ordinance to require energy use reporting
COUNCILORS ALBRIGHT, DANBERG and LEARY , on behalf of the Newton Citizens Commission on Energy (NCCE), requesting discussion and an ordinance that would require large property owners (campuses and large commercial buildings) to report energy use and associated greenhouse gas emissions annually to the city of Newton, to be used to encourage reductions in said energy use and greenhouse gas emissions in accordance and support of the goals set forth in the Newton Climate Action Plan.
Zoning & Planning Held 8-0 on May 28, 2024
Zoning & Planning Held 5-0-1 (Councilor Danberg Abstained) (Councilor Krintzman Not Voting)

#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 on May 13, 2024

Zoning & Planning Held 4-0-3 (Councilors Baker, Oliver, Wright Abstained)

Referred to Programs & Services Committee

06/05/2024

Present: Councilors Krintzman (Chair), Oliver, Malakie, Humphrey, Baker, and Farrell;

absent: Councilor Micley and Lobovits; also present: Councilors Leary and Greenberg

#165-24 Discussion regarding hoarding and refuse on private property

COUNCILORS GREENBERG, LAREDO, LEARY, OLIVER, HUMPHREY, LUCAS, LIPOF, BIXBY, WRIGHT, MALAKIE, DOWNS, FARRELL, AND MICLEY requesting a discussion with the Inspectional Services, Health, and Law Departments to review how the city responds to issues of hoarding and other behaviors on private property that lead to pest infestation or potential injury to the occupants of the property and their nearby neighbors.

Programs & Services Held 5-0 (Councilor Humphrey Not Voting)

#186-24 Reappointment of Marcela Merino to Community Education Commission

HER HONOR THE MAYOR reappointing Marcela Merino, 66 Cloverdale Road, Newton as a member of the Community Education Commission for a term of office set to expire on May 31, 2026. (60 Days: 06/15/2024)

Programs & Services Approved 5-0 (Councilor Humphrey Not Voting)

#206-24 Requesting complete review and appropriate changes to the Rules of the City Council

COUNCILORS KRINTZMAN AND LAREDO requesting the review of the Rules of the City Council, traditionally done through a Subcommittee of the Programs & Services Committee. The Committee should review the rules and make recommendations to the full Committee in time for the recommendations to be reviewed and adopted by the full Council prior to the Inauguration of the next term's City Council, when the Rules for that Council are formally adopted at Inauguration.

Programs & Services Held 5-0 (Councilor Baker Not Voting)

Referred to Programs & Services and Finance Committees

- #221-24 Appropriation of \$296,312 for student transportation**
HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred ninety-six thousand three hundred and twelve dollars (\$296,312.00) from June 30, Certified Free Cash (0001-3240) to Newton Public Schools for student transportation for children who are homeless or in foster care.
Programs & Services Approved 5-0 (Councilor Baker Not Voting)
Finance Approved 8-0 on June 10, 2024
- #228-24 Reappointment of Karl Munger to the Biosafety Committee**
HER HONOR THE MAYOR reappointing Karl Munger, 5 Nightingale Path, Newton as a member of the Biosafety Committee for a term of office set to expire on December 30, 2026. (60 Days: 07/19/2024)
Programs & Services Approved 5-0 (Councilor Humphrey Not Voting)
- #229-24 Reappointment of Howard Birnbaum to the Urban Tree Commission**
HER HONOR THE MAYOR reappointing Howard Birnbaum, 36 Central Street, Auburndale as a member of the Urban Tree Commission for a term of office set to expire on April 30, 2027. (60 Days: 07/19/2024)
Programs & Services Approved 5-0 (Councilor Humphrey Not Voting)
- #237-24 Requesting to set Early Voting Hours and location for the September 3rd State Primary Election**
THE CITY CLERK requesting to set early voting hours for the September 3rd State Primary Election on the following dates, location, and times recommended by the Election Commission: A total of seven days; Saturday August 24th: 11am-5pm, Sunday August 25th: 11am-5pm, Monday August 26th: 8:30am-5pm, Tuesday August 27th: 8:30am-5pm, Wednesday August 28th: 8:30am-8pm, Thursday August 29th: 8:30am-5pm, Friday August 30th: 8:30am-5pm at Newton City Hall, 1000 Commonwealth Avenue, Newton, MA 02459.
Programs & Services Approved 5-0 (Councilor Baker Not Voting)
- #238-24 Request to set Early Voting Hours and location for the November 5th State and Federal Election**
THE CITY CLERK requesting to set early voting hours for the November 5th State and Federal Election on the following dates, locations, and times recommended by the Election Commission: A total of fourteen days; Saturday October 19th: 11am-5pm, Sunday October 20th: 11am-5pm, Monday October 21st: 8:30am-5pm, Tuesday October 22nd: 8:30am-5pm, Wednesday October 23rd: 8:30am-

5pm, Thursday October 24th: 8:30am-5pm, Friday October 25th: 8:30am-5pm, Saturday October 26th: 11am-5pm, Sunday October 27th: 11am-5pm, Monday October 28th: 8:30am-5pm, Tuesday October 29th: 8:30am-5pm, Wednesday October 30th: 8:30am-8pm, Thursday October 31st: 8:30am-5pm, Friday November 1st: 8:30am-5pm at Newton City Hall, 1000 Commonwealth Avenue, Newton, MA 02459; Saturday October 19th: 11am-5pm, and Sunday October 20th: 11am-5pm at Newton North High School, 457 Walnut Street, Newton, MA 02460; and Saturday October 26th: 11am-5pm, Sunday October 27th: 11am-5pm at Newton South High School 140 Brandeis Street, Newton, MA 02459.

Programs & Services Approved 5-0 (Councilor Baker Not Voting)

Referred to Programs & Services and Finance Committees

#245-24 Appropriate \$500,000 for IT infrastructure improvements

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of five hundred thousand dollars (\$500,000) from PEG Access and Cable Related Fund (the "Fund") to Micro/Network Services - PC Hardware (0111154-585111), to make improvements to the City's IT infrastructure.

Programs & Services Approved 6-0

Finance Approved 8-0 on June 10, 2024

#252-24 Appointment of Shin-Yi Lao as Commissioner of Health and Human Services

HER HONOR THE MAYOR appointing SHIN-YI LAO as COMMISSIONER OF HEALTH AND HUMAN SERVICES pursuant to Sec 3-3 of the City Charter. (30 Days: 07/03/24)

Programs & Services Approved 5-0 (Councilor Baker Not Voting)

Referred to Public Safety & Transportation Committee

06/05/2024

Present: Councilors Grossman (Chair), Downs, Greenberg, Lucas, Wright, Block, Bixby and Lipof

#201-24 Requesting a policy discussion, review, and possible action related to parking on-street and in municipal lots

COUNCILORS GROSSMAN, DOWNS AND LAREDO requesting a discussion and review of parking policy related to on-street parking and parking in municipal lots, including possible action on related ordinances and permit programs.

Public Safety & Transportation Held 8-0 on April 17, 2024

Public Safety & Transportation Held 7-0 (Councilor Greenberg Not Voting)

#227-24 Semi-annual public auto inspections

POLICE DEPARTMENT submitting reports of semi-annual public auto inspections for review.

Public Safety & Transportation Approved 7-0 (Councilor Greenberg Not Voting)

Referred to Public Facilities Committee

06/05/2024

Present: Councilors Albright (Chair), Getz, Laredo, Kalis, Kelley, Leary, Gentile, and Danberg

#214-24 Discussion on the Transportation Network Improvement Plan

DEPARTMENT OF PUBLIC WORKS requesting to provide an update on the Transportation Network Improvement Plan

Public Facilities Held 7-0 (Councilor Leary Not Voting)

Referred to Public Facilities and Finance Committees

#224-24 Transfer \$125,000 to the Library Building Maintenance- Electricity

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred twenty-five thousand dollars (\$125,000) from Acct # 0160110-511001 Newton Free Library - Full Time Salaries to Acct # 0160112-521000 Library Building Maintenance -Electricity.

Public Facilities Approved 7-0-1 (Councilor Laredo Abstained)

Finance Approved 8-0 on June 10, 2024

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.

Public Facilities Approved 7-0 (Councilor Leary Not Voting)

Finance Approved 8-0 on June 10, 2024

Referred to Public Facilities and Finance Committees

#243-24 Appropriate \$3.2 million for Water Main Improvements in FY25

HER HONOR THE MAYOR requesting authorization to appropriate and expend three-million two-hundred thousand dollars (\$3,200,000) and authorize a general obligation borrowing of an equal amount for the Water Main Improvements in

FY25 and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.

Public Facilities Approved 7-0 (Councilor Leary Not Voting) on June 5, 2024

Finance Approved 8-0 on June 10, 2024

#250-24 National Grid petition for a Grant of Location in Richardson Street

NATIONAL GRID petition for a grant of location to install and maintain approximately 480 feet of 12- inch Coated Steel, main across the Centre St. bridge in Newton, MA over 1-90 (also known as Washington St.). National Grid has MA DOT, and MWRA, permits for the bridge. National Grid is requesting Grant of Location for Proposed new main tie-in to existing Regulator Station at 32 Richardson Street, Newton approximately 20' X 10' X 5'D and to tie-in to existing 12" Bare Steel Main at 371 Washington Street, Newton approximately 10' X 6' X 5'D (Ward 1)

Public Facilities Held 8-0

#251-24 Eversource petition for Grant of Location in Jackson Road

EVERSOURCE ENERGY petition for a grant of location to relocate poll 227/12 approximately 5 feet north of its current location on Jackson Road. The City of Newton Engineering Department noted that this is an after the fact filing. (ward 1)

Public Facilities Approved 8-0

Referred to Finance Committee

06/10/2024

Present: Councilors Gentile (Chair), Grossman, Lipof, Bixby, Malakie, Greenberg, Micley and Humphrey

Referred to Finance and Public Facilities Committees

#191-24 Authorization to appropriate and expend \$200,000 from the Stormwater Management Operating Reserve FY2024 Operating Budget

HER HONOR THE MAYOR requesting authorization to appropriate and expend a total of two hundred thousand dollars (\$200,000) from the Stormwater Management Operating Reserve FY2024 Operating Budget to fund the design and installation of a subsurface system that will manage stormwater from Myrtle Street and McGrath Park.

Finance Approved 8-0

Public Facilities Approved 8-0

Referred to Finance and Public Facilities Committees

#216-24 DPW Transportation and Paving Improvement Program Transfer

HE MAYOR requesting authorization to transfer funds from several DPW Accounts resulting from FY24 savings in various DPW accounts to Acct# 01C40112-553100 as a part of the City's Accelerated Roads Program

DPW Streets- Full Time Wages (0140120-51100).....	\$500,000
DPW Snow & Ice- Overtime (0140123-513010).....	\$250,000
DPW Snow & Ice- Contractors (0140123-529100).....	\$200,000
Comptroller's- Snow/Ice Reserve (0110498-579400).....	\$1,050,000

Finance Approved 8-0

Public Facilities Approved 8-0

#218-24 Transfer any unexpended General Fund Municipal health insurance funds to the Health Insurance Trust Fund

HER HONOR THE MAYOR requesting authorization to transfer any unexpended General Fund municipal health insurance funds (57HLTH), remaining as of June 30, 2024 into the Health Insurance Trust Fund (fund 6600).

Finance Approved 8-0

#219-24 Appropriation of \$450,000 for Police Department Overtime

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of four hundred and fifty thousand dollars (\$450,000) from Comptroller's Snow and Ice budgeted reserves to Acct# 0120103-513010 Police Patrol- Regular Overtime

Finance Held 8-0 on May 13, 2024

Finance Approved 8-0

Referred to Finance and Programs & Services Committees

#221-24 Appropriation of \$296,312 for student transportation

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of two hundred ninety-six thousand three hundred and twelve dollars (\$296,312.00) from June 30, Certified Free Cash (0001-3240) to Newton Public Schools for student transportation for children who are homeless or in foster care.

Finance Approved 8-0

Programs & Services Approved 5-0 (Councilor Baker Not Voting) on June 5, 2024

Referred to Finance and Public Facilities Committees

- #224-24** **Transfer \$125,000 to the Library Building Maintenance- Electricity**
HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred twenty-five thousand dollars (\$125,000) from Acct # 0160110-511001 Newton Free Library - Full Time Salaries to Acct # 0160112-521000 Library Building Maintenance -Electricity.
Finance Approved 8-0
Public Facilities Approved 7-0-1 (Councilor Laredo Abstained) on June 5, 2024

Referred to Finance and Public Facilities 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.
Finance Approved 8-0
Public Facilities Approved 7-0 (Councilor Leary Not Voting) on June 5, 2024

- #242-24** **Appropriate \$3.2 million for Water Main Repair and Replacement Project**
HER HONOR THE MAYOR requesting authorization to rescind the three million two hundred thousand dollars (\$3,200,000) million bond authorization for FY23 water main repair and replacement project as approved by Council Order #294-22 on May 16, 2022, and appropriate and expend a total of three million two hundred thousand dollars (\$3,200,000) from the water fund undesignated fund balance for the same purpose.
Finance Approved 8-0

Referred to Finance and Public Facilities Committees

- #243-24** **Appropriate \$3.2 million for Water Main Improvements in FY25**
HER HONOR THE MAYOR requesting authorization to appropriate and expend three-million two-hundred thousand dollars (\$3,200,000) and authorize a general obligation borrowing of an equal amount for the Water Main Improvements in FY25 and authorization to apply any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of the bonds or notes to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.
Finance Approved 8-0
Public Facilities Approved 7-0 (Councilor Leary Not Voting) on June 5, 2024

Referred to Finance and Programs & Services Committees

#245-24 Appropriate \$500,000 for IT infrastructure improvements
 HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of five hundred thousand dollars (\$500,000) from PEG Access and Cable Related Fund (the "Fund") to Micro/Network Services - PC Hardware (0111154-585111), to make improvements to the City's IT infrastructure.

Finance Approved 8-0

Programs & Services Approved 6-0 on June 5, 2024

#246-24 Transfer \$200,000 to the Newton Communications Access Center, Inc. (NewTV)
 HER HONOR THE MAYOR requesting authorization to transfer and expend a sum of two hundred thousand dollars (\$200,000) from the PEG Access and Cable Related Fund to the Newton Communications Access Center, Inc (NewTV).

Finance Approved 8-0

#247-24 Requesting Authorization to rescind bonds
 HER HONOR THE MAYOR requesting authorization to rescind the below previous bond authorizations, as they are no longer required.

Zervas Elementary School Construction (#255-14(4)).....	\$1,505,182
Bigelow Boiler Replacement 2019 (# 100-19).....	\$319,860
FA Day Boilers (#347-19).....	\$131,484
Newton Early Childhood Prog (#419-19).....	\$3,776
Countryside Feasibility Study (#237-21).....	\$1,250,000

Finance Approved 8-0

#248-24 Transfer \$25,000 to Stormwater System- Health Insurance
 HER HONOR THE MAYOR requesting authorization to transfer and expend the sum of twenty-five thousand dollars (\$25,000) from Stormwater - Current Year Reserves (62A10498-579000) to Stormwater System - Health Insurance (62A40101-57HLTH).

Finance Approved 8-0

#249-24 Appropriate \$5 million for Water Meter System Replacement Project
 HER HONOR THE MAYOR requesting authorization to rescind five million dollars (\$5 million) of the ten million dollars (\$10 million) bond authorization for the water meter system replacement project as approved as part of Council Order #170-22 on April 19, 2022, and appropriate a total of five million dollars (\$5 million) from the water and sewer undesignated fund balances for the same purpose.

Finance Approved 8-0

Referred to Real Property Reuse Committee

06/12/2024

Present: Councilors Danberg (Chair), Gentile, Getz, Laredo, Lipof, Lucas, Malakie, and Oliver;
also present: Albright, Block, Kelley, and Wright

#205-24 Reuse of parcel of land on Chestnut Street

DIRECTOR OF PLANNING & DEVELOPMENT submitting on April 8, 2024 a letter stating that the 8 parking spaces on City-owned property at 25 Chestnut Street, should be made available for sale or lease, pursuant to the City of Newton Ordinances Section 2-7.

Real Property Reuse Held 8-0

#36-24 Reuse of parcel of land on Grove and Hancock Street

DIRECTOR OF PLANNING & DEVELOPMENT submitting on November 3, 2023 a letter stating that the 36,356 sq. ft. City owned parcel of land known as 169 Grove Street and 136 Hancock Street, should be made available for sale or lease, pursuant to the City of Newton Ordinances Section 2-7.

Real Property Reuse Held; Public Hearing set for 03/28/2024 7-0 on January 25, 2024

Motion to close the Public Hearing passed 8-0

Motion to make the initial determination to lease 26,356 sq ft the property 8-0

Motion to create the JAPG 8-0

Real Property Reuse Held 8-0