



Programs & Services Committee Agenda

City of Newton In City Council

Wednesday, November 20, 2019

7:00 PM
Room 211

Items Scheduled for Discussion:

- #392-19** **Appointment of Rebecca Kramer to the Biosafety Committee**
HER HONOR THE MAYOR appointing REBECCA KRAMER, 84 Larchmont Avenue, Waban, as a member of the BIOSAFETY COMMITTEE for a term to expire December 1, 2022. (60 days: 01/01/20)
- #365-19** **Appointment of Samuel Nathans as a Library Trustee**
HER HONOR THE MAYOR appointing SAMUEL NATHANS, 37 Kenmore Street, Newton Centre, as a LIBRARY TRUSTEE for a term to expire June 30, 2024. (60 days: 12/14/19)
- #371-19** **Reappointment of Harry Lohr to the Jackson Homestead**
HER HONOR THE MAYOR reappointing HARRY LOHR, 157 Cherry Street, Newton, as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2022. (60 days: 12/14/19)
- #370-19** **Reappointment of Jay Walter to the Jackson Homestead**
HER HONOR THE MAYOR reappointing JAY WALTER, 83 Pembroke Street, Newton, as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2022. (60 days: 12/14/19)
- #369-19** **Reappointment of Karen Haywood to the Jackson Homestead**
HER HONOR THE MAYOR reappointing KAREN HAYWOOD, 69 Walker Street, Newtonville, as a Trustee of the JACKSON HOMESTEAD for a term to expire May 31, 2022. (60 days: 12/14/19)

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.

#368-19 Reappointment of Treff LaFleche to the Jackson Homestead
HER HONOR THE MAYOR reappointing TREFF LaFLECHE, 1603 Commonwealth Avenue, West Newton, as a Trustee of the JACKSON HOMESTEAD for a term to expire May 1, 2022. (60 days: 12/14/19)

#399-19 Reappointment of David A. Olson as City Clerk
PRESIDENT LAREDO AND VICE PRESIDENT KALIS, pursuant to Section 2-7 of the City Charter, recommending that the City Council re-appoint David A. Olson as the City Clerk; said term will begin on January 1, 2020 for a term of two years or until a successor is duly qualified

Referred to Programs & Services and Finance Committees

#387-19 Transfer of \$207,500 for tree damage cleanup
HER HONOR THE MAYOR requesting authorization to transfer the sum of two hundred seven thousand and five hundred dollars (\$207,500) from the Budget Reserve – Snow and Ice Removal Account to the following account:
Forestry Tree Services
(0160253-524300)..... \$207,500

Referred to Programs & Services and Finance Committees

#415-19 Transfer \$69,000 for the cost of six months of the City Council’s new salary
HER HONOR THE MAYOR requesting authorization to transfer the sum of \$69,000 from Acct# 0110498-579000 Current Year Budget Reserve to Acct# 0110111-511103 City Council Officials with Benefits to cover the costs of six months of the City Council’s new salary.

#167-19 Amendment to the noise ordinance related to rock saws and similar devices
COUNCILORS BAKER, GROSSMAN, & LAREDO recommending amendment to Chapter 20, Article II. Noise to clarify the appropriate sound and other limit for rock saws and similar devices used in construction work in residential areas.

#503-18 Discussion of handling of trash and recyclables by private haulers
COUNCILORS LEARY, CROSSLEY, GREENBERG AND DOWNS requesting discussion and adoption of best practices, including a mandate to separate recyclables from trash and include recycling pick up to meet Massachusetts Waste Ban regulations, 310CMR 19.017, for private haulers doing business in the City of Newton.

#273-19 Resolution to support to Green New Deal
COUNCILORS BROUSAL-GLASER, DOWNS, KELLEY, KRINTZMAN, GREENBERG, LEARY, NOEL AND NORTON requesting a RESOLUTION from the City Council to officially support the Green New Deal.

**Respectfully Submitted,
John B. Rice, Chair**



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#392-19

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

October 11, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Rebecca Kramer of 84 Larchmont Avenue, Newton as a member of the Biosafety Committee. Her term of office shall expire on December 1, 2022 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

2019 OCT 15 AM 9:40

Rebecca Kramer

████████████████████ • Newton, MA 02468

Professional Experience:

Harvard Medical School, Boston, Massachusetts

August 1997 - Present

Laboratory Manager, Howley Lab

- Oversee daily operation of a laboratory with regards to research, spending, interpersonal and compliance issues
- Ensure compliance with local, state and federal regulations of biological, chemical, physical and radiological materials
- Establish and maintain systems which allow for a continuity of research within the context of revolving postdoctoral fellows, graduate students, and research assistants
- Hire, train and supervise research assistants
- Perform independent research using a wide variety of microbiological and biochemical techniques

Harvard Medical School, Boston, Massachusetts

May 2005 – March 2008

Project Manager of “Identification of Cellular Markers of Cervical Neoplasia”

- Analyzed data generated and predicted possible cervical carcinoma biological markers
- Wrote reports for the collaborator, CYTYC Corporation, detailing the project’s progress
- Ensured study’s compliance with all federal and university laws and regulations regarding work with human subjects
- Interfaced with CYTYC Corporation, Harvard’s Office for Research Subject Protection and the sequencing company Agencourt as necessary
- Kept the project moving forward in a timely fashion

Harvard Medical School, Boston, Massachusetts

August 1992 – August 1997

Research Assistant, Reed Lab

- Performed a wide variety of molecular biological laboratory techniques including DNA analysis, RNA analysis, protein analysis, tissue culture
- Responsible for teaching all visiting scientists, new technicians, students and post-doctoral fellows techniques unique to the laboratory
- Managed laboratory budget
- Provided daily laboratory support

Education:

Harvard Extension School

Boston/Cambridge, MA

Scientific Writing

2016

GIS

2015

Statistics

2015

New Enterprise Development

2006

| | |
|--|------|
| Principles of Economics | 2005 |
| Transportation Planning and Design (GSD) | 2004 |
| History of Boston Architecture | 2001 |
| Forensics | 1996 |
| Biochemistry | 1994 |

Boston Architectural College **Boston, MA**
Landscape Design certificate 2010

Kent State University **Kent, Ohio**
B.S., Biology 1992

Publications:

Evidence that sequence-independent binding of highly conserved U2 snRNP proteins upstream of the branch site is required for assembly of spliceosomal complex A

Or Gozani, Rebecca Feld, and Robin Reed
Genes & Development, 10(2):233-243, 1996.

Association of U2 snRNP with the spliceosomal complex E

Wanjin Hong, Maria Bennet, Yan Xiao, Rebecca Feld Kramer, Changyu Wang, and Robin Reed
Nucleic Acid Research 25(2): 354-631, 1997.

Evidence that U5 snRNP recognizes the 3' splice site for catalytic step II in mammals

Maria Dolores Chiara, Leon Palandjian, Rebecca Feld, Robin Reed
The Embo Journal, 16(15): 4746-57, 1997.

Comprehensive analysis of host cellular interactions with human papillomavirus E6 proteins identifies new E6 binding partners and reflects viral diversity

White, Elizabeth A; Kramer, Rebecca E; Tan, Min Jie Alvin; Hayes, Sebastian D; Harper, J Wade; Howley, Peter M

Journal of virology, December 2012, Vol.86(24), pp.13174-86

Papillomavirus E7 oncoproteins share functions with polyomavirus small T antigens

White, Elizabeth A; Kramer, Rebecca E; Hwang, Justin H; Pores Fernando, Arun T; Naetar, Nana; Hahn, William C; Roberts, Thomas M; Schaffhausen, Brian S; Livingston, David M; Howley, Peter M

Journal of virology, March 2015, Vol.89(5), pp.2857-65



Ruthanne Fuller
Mayor

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Office of the Mayor

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rfuller@newtonma.gov

October 15, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Samuel Nathans of 37 Kenmore Street, Newton Centre as a Library Trustee. His term of office shall expire on June 30, 2024 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

2019 OCT 15 AM 9:40
CITY OF NEWTON
RECEIVED

Application Form

Profile

Samuel _____ Nathans _____
 First Name Middle Initial Last Name

 Email Address

37 Kenmore St. _____
 Home Address Suite or Apt

NEWTON CENTRE _____ MA _____ 02459 _____
 City State Postal Code

What Ward do you live in?

Ward 6

 Primary Phone Fax: _____
 Alternate Phone

Martingale Asset Management _____ Senior Portfolio Manager _____
 Employer Job Title

Which Boards would you like to apply for?

Economic Development Commission: Submitted
 Library Trustee: Submitted

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I moved to Newton 18 years ago with my young family. The city has been very good to me. I know it doesn't run itself and I'm at the point in my career when I can carve out more free time. I would welcome the opportunity to use some of that time helping in some way to preserve what we love about Newton but moving forward. The library in particular is of great interest to me. In addition to being a regular user, I've been a supporter of the library over the years and would like the opportunity to contribute as a trustee.

[Samuel_Nathans.pdf](#) _____
 Upload a Resume

SAMUEL NATHANS, CFA

PROFILE

Experienced quantitative investment professional steeped in the management of traditional and alternative stock portfolios for premier institutional investors. Winning balance of technical skills (model building and evaluation, portfolio construction, attribution), and client service/presentation skills.

EXPERIENCE

MARTINGALE ASSET MANAGEMENT, BOSTON, MA – 1999-PRESENT

Senior Portfolio Manager/Partner

Martingale, an equity boutique founded in 1987 manages \$8 billion for a select group of public and corporate pension plans, foundations, and endowments. The firm uses quantitative techniques and computer models to analyze fundamental and other data on company prospects to build custom portfolios for its clients.

- Portfolio manager for traditional (long-only, large and small cap) strategies; and for alternative (low volatility, 130/30, market neutral) strategies
- Core member of investment team responsible for research and development of stock selection and risk models at the firm. Deep understanding of return and risk factors that impact stock prices. Self-sufficient researcher with strong hands-on technical skills
- Excellent communication skills. Responsible for presenting and explaining firm's technical investment process to clients and prospects. Proven track record of success closing new business.
- Lead investment contact for some of the firm's most important relationships. Author of firm's regularly published communications dissecting market environment and performance for clients

AIG EQUITY MARKET NEUTRAL FUND, STAMFORD CT – 1998-99

Founder/Principal

- Launched quantitative investment management company retained by AIG's asset management arm to sub-advise their equity market neutral hedge fund
- One man band. Conceived, designed coded all stock selection, risk and trading models employed by the Fund.

MD SASS INVESTOR SERVICES, INC. NEW YORK, NY – 1995-1997

Vice President, Quantitative Strategies

- Developed and managed high turnover statistical arbitrage strategies for U.S. and European markets
- Co-managed fund of hedge funds. Vetted and selected fund managers

SAJE ASSET MANAGEMENT, INC., STONY BROOK, NY – 1992-1995

Director of Research and Portfolio Management

- Managed \$100 million U.S. and \$50 million European statistical arbitrage trading strategies

EDUCATION

- Emory University School of Law, Juris Doctorate, 1986. Law review
- Duke University. B.A., Public Policy Studies, 1982

PRIOR CAREER: NEW YORK CITY LITIGATION ATTORNEY

- 1989-1992: Senior litigation associate, Golenbock, Eiseman, Assor & Bell. Sophisticated commercial practice
- 1986-1989: Law Department, City of New York . Commercial, tort and civil rights litigation

#371-19



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

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rfuller@newtonma.gov

September 23, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Harry Lohr, Jr. of 157 Cherry Street, Newton as a Trustee of the Jackson Homestead. His term of office shall expire on May 31, 2022 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

2019 OCT -2 AM 10:21

Application Form

Profile

Harry

First Name

O

Middle Initial

Lohr, Jr.

Last Name

[Redacted]

Email Address

157 Cherry Street

Home Address

Suite or Apt

West Newton

City

MA

State

02465

Postal Code

What Ward do you live in?

Ward 3

[Redacted]

Primary Phone

[Redacted]

Alternate Phone

Retired

Employer

Communications Professional

Job Title

Which Boards would you like to apply for?

Jackson Homestead: Appointed

Interests & Experiences

Please tell us about yourself and why you want to serve.


Why are you interested in serving on a board or commission?

For the past 25 years, I have been active with Historic Newton and an ardent volunteer for the City of Newton. Newton is a great place to live, work, play and my wife Judy Karp and I feel fortunate to live here. My appreciation for the City, its residents, and institutions has manifest itself in numerous volunteer activities over the years, among them my commitment to the successful public-private partnership that we call Historic Newton. In this capacity, I am concluding my current term as chairman of the Board of Trustees of the Jackson Homestead and Museum (1809), home to Newton's highly-regarded, nationally accredited history museum. I also chair the joint board's Burying Grounds Committee, partnering with the City in the oversight, maintenance, and preservation of Newton's three historically important burying grounds, dating to 1660, 1781, and 1802. I've also supervised our NewtonSERVES activities (since its inception) at the burying grounds. These City resources, its educational programs, collections and archives, together with the Historical Society's Durant-Kenrick House and Grounds (1734), occupy an important place in Newton's civic and cultural life. All are on the National Register of Historic Places. The thousands of volunteer hours I've contributed have not slowed me down. I would like to continue my volunteer work for the City—as an advocate for The Jackson Homestead—and build upon the success we are achieving together. Although history is not my vocation by profession, I have a passion for it. It explains the past, informs the present, and provides guidance as we move forward together to the future. Thank you for your consideration of my candidacy for reappointment to the Board of Trustees at the Jackson Homestead and Museum. Regardless of the outcome here, it has been an honor to contribute to the life of the City. The opportunity to learn about and preserve our history is one that I will cherish always. - Harry O. Lohr, Jr.

[resume_harry_lohr_2019.pdf](#)

Upload a Resume

Harry O. Lohr, Jr.
157 Cherry Street
West Newton, Massachusetts 02465-1241



PROFESSIONAL PROFILE

Communications professional with four decades of experience, including senior departmental management, direct project oversight, writing and editorial services, publication and web design, graphics design, and photography; extensive experience in the public and nonprofit sectors

- Leadership – decisive team leader, with ability to forge productive, collaborative relationships among staff
- Management – solid experience managing staff and projects, with excellent outcomes and evaluations
- Communications – persuasive communications skills and excellent track record with personnel
- Content Creation – visionary, creative, and skillful in verbal, visual, print, and electronic disciplines
- Commitment – reliable, dedicated, hands-on manager, with proven record of long-term commitment

EXPERIENCE

Commonwealth of Massachusetts
1980 to 2015

From 1986 to 2015, I served as communications director for the Commonwealth's Massachusetts Rate Setting Commission, its successor the Division of Health Care Finance and Policy, and the Center for Health Information and Analysis—a new, independent state agency launched in November 2012. In this capacity, I supervised the staff of the Office of Communications, managed operations, set priorities, and oversaw the workflow for print and electronic communications, website development and maintenance, press relations, public records, presentations, events, and other communications-related activities. At the request of the Commonwealth, I also assisted with various human resources, recruitment, diversity, and worksite wellness initiatives. From early 1980 until November 1986, I worked as a writer/manager for the Commonwealth's Medicaid central office.

Major accomplishments include:

- Established and developed communications offices for the Massachusetts Rate Setting Commission, Division of Health Care Finance and Policy (DHCFP), and Center for Health Information and Analysis
- Enhanced in-house capabilities to support DHCFP's dramatic evolution 1986-2012 and CHIA's launch—embracing and deploying technologies and strategies to increase production, improve quality, and leverage electronic publishing channels and social media
- Helped to promote and extend the market position of these agencies as primary providers of health care information and data
- Initiated, created, and promoted the DHCFP's/CHIA's well-regarded web presence
- Played a central role in the pilot implementation of the health and human services Mass.Gov Web Portal
- Partnered with other Commonwealth resources to develop and deploy social media
- Established and implemented professional publishing standards for these entities and other agencies

Freelance Writer and Photographer

1970 to present

At various times since 1970, I have worked either full-time or part-time as a freelance writer, photographer, desktop publisher, filmmaker, and communications consultant. This body of work includes informational and promotional material for nonprofit organizations and museums, the Boston Red Sox, newspaper and magazine articles and photographs, research projects and grant proposals, and photograph and film documentaries.

AWARDS

- Meritorious Performance Evaluations, Commonwealth of Massachusetts
- Commonwealth Citation for Outstanding Performance
- Commonwealth Citation for Outstanding Performance - Manuel Carballo Award Nominee
- Certificate of Recognition for Outstanding Performance, Commonwealth of Massachusetts

PUBLICATIONS

- The Boston Globe
- The Newton TAB
- The New York Times
- The Philadelphia Inquirer
- Other miscellaneous publications and websites (e.g., film and media, business-related, academic)

OTHER CURRENT ACTIVITIES, ORGANIZATIONS, BOARDS, AND INTERESTS

- Historic Newton / Newton History Museum at The Jackson Homestead (TJH) / Newton Historical Society NHS)
Chairman, TJH Board of Trustees / Member of TJH-NHS joint board (1995 to present)
Chairman of the Historic Newton Burying Grounds Committee (2000 to present with prior participation)
- The Dignity Institute — Board of Trustees; planning, photography and fundraising; using the arts and communications tools to empower underserved youth and families with life management skills (2015 to present)
- Massachusetts Easter Seals Disability Services — Walk with Me Leadership and Walk With Me Boston Committees; volunteer organizer, state-wide photographer (2003 to present, with prior 10-year participation)
- Boston Science Fiction Film Festival and Marathon — Assistant Producer/Communications (1990 to present)
- Boston Film Video Foundation — Board of Directors (1996 to 2004)
- Diner Tours — research, organize and present guided tours of New England diners
- Photography used by Boston Red Sox Baseball Club in Official Year Book and Boston Red Sox Hall of Fame

EDUCATION

Goddard College, Plainfield Vermont
Bachelor of Arts in Communications (Journalism and Filmmaking)

Continuing Professional Education

- Continuing education program with Harvard University's Kennedy School of Government for senior managers in public service
- Continuing education program with the University of Massachusetts' Donohue Institute for senior managers in public service
- Numerous courses in desktop publishing, electronic graphic design, and Internet development

#370-19



Ruthanne Fuller
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rfuller@newtonma.gov

September 23, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Jay C. Walter of 83 Pembroke Street, Newton as a Trustee of the Jackson Homestead. His term of office shall expire on May 31, 2022 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

2019 OCT -2 AM 10:21
RECEIVED
CITY OF NEWTON
MA 02459

Application Form

Profile

Jay _____ C. _____ Walter _____
 First Name Middle Initial Last Name

████████████████████ _____
 Email Address

83 Pembroke Street _____
 Home Address Suite or Apt

Newton _____ MA _____ 02458 _____
 City State Postal Code

What Ward do you live in?

Ward 1

████████████████████ _____
 Primary Phone Alternate Phone

Entasis Architects PC _____ President / Architect _____
 Employer Job Title

Which Boards would you like to apply for?

Jackson Homestead: Appointed

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

Interest in Historic Preservation, sustainability and housing patterns.

[Newton Upper Falls Historic District - Jay Walter.pdf](#)

Upload a Resume

Jay C. Walter AIA

resume

EDUCATION:

Master of Architecture, University of Pennsylvania. 1981
Bachelor of Fine Arts, Maryland Institute, College of Art. 1979
 Dean's List, Summa Cum Laude.
NEA Design Fellowship: Awarded to study surface structures. 1980

PROFESSIONAL ACTIVITIES:

Member- American Institute of Architects
 Member- Boston Society of Architects
 Member- NASE Northeast Assoc. for Sustainable Energy
 Board Member, Town of Hanson Zoning Board of Appeals 1988-1995
 Zoning Bylaws Committee, Hanson, 1993-1996
 Regional Design Committee, BSA, 1991-1995
 Pre K-8 Facilities Subcommittee- Whitman Hanson Regional School Com, 1995 Hanson
 Town Hall Building Committee- chairman 1997-1998
 Founder- Sustainable Waste Management Collaborative. 2008
 Vice President- Newton Historic Society/ Historic Newton 2005- 2015
 Director Newton Eco-Project. 2009-2015.
 Friends of Farlow Park Board member- Historic park restoration project 2005- present
 Member- Newton Upper Falls Historic Commission. 2008- present
 Newton Solar Coach- Solarize Mass residential solar program 2013
 Community Outreach Director- Solar Smart Newton residential solar program 2014
 Community Organizer- Newton Solar Challenge residential solar program 2015
 Newton Zoning Reform Advisory Group 2014
 Friends of Austin Street- community housing advocates 2015
 Trustee- Jackson Homestead /Newton History Museum 2016

WORK EXPERIENCE:

OWNER-Entasis Architects PC: 1994-2017

Parker Residence: Newton Centre, Ma. 2017
 Total rehabilitation and garage/family rm. addition to historic home.
Meyer Residence: West Newton, Ma. 2017
 Rear addition for kitchen expansion and aging in place upgrades.
Irvington Residence: Waban, Ma. 2016
 Total rehabilitation and garage/mudroom addition to historic home.
Werb/Katz Residence: Newton Upper Falls, Ma. 2016
 Restoration/rehab. of early 20th C mill worker's house.
Prokop Residence: Auburndale, Ma. 2016
 Backdoor vestibule, porch demolition & façade restoration, rear yard hardscape
Gluck Residence: Harrison, Maine. 2016
 Kitchen/living room remodel in a lakeside vacation home.
Schmidt Residence: Newton Corner, Ma. 2015
 Attic apartment remodeling w/ kitchenette.
Chiou Residence: Weston, Ma. 2015
 Whole house remodeling including kitchen.
Bigger Residence: Cold Spring Harbor, N.Y. 2015
 Contemporary roof canopy on historic home, yard hardscape.

- Nieder Korn Residence: Needham, Ma. 2015
Kitchen/ mudroom/ bedroom suite addition.
- Rothwell Residence: Newtonville, Ma. 2015
Kitchen addition and remodeling.
- Linsky Residence: Newtonville, Ma. 2015
Condo conversion of two family residence.
- Boylan Residence: North End, Boston Ma. 2015
Kitchen/ living room remodel in penthouse apartment.
- Powderly Residence: West Newton, Ma. 2015
Attic master bedroom suite build-out w/ new dormer on historic home.
- Judge Residence: Belmont, Ma. 2015
Vestibule within wrap-around porch, interior remodeling.
- Ballis Residence: Newton Corner, Ma. 2014
Restoration of 1880s home exterior; interior gut/rehab. into 4-unit condo.
winner of a 2015 Newton Preservation Award
- Swager Residence: Newton Corner, Ma. 2014
Historic exterior restoration of an 1880 Victorian house.
- Bentaincourt Residence: Newton Highlands, Ma. 2014
Rear kitchen and family room addition w/ major interior remodeling.
- McKay Residence: Newtonville, Ma. 2014
New garage adjacent to 1890 Victorian home.
- Mallarkey Residence: Newton Corner, Ma. 2014
Kitchen & several bathroom remodelings.
- Segal Residence: Needham, Ma. 2014
Whole house remodeling of Craftsman-styled home.
- Dittman Residence: West Roxbury, Ma. 2014
Rear family room addition.
- Waldman Residence: Newton Corner, Ma. 2013
Replace garage structure w/ an artist studio.
- Gluck Residence: Harrison, Maine. 2013
Dormer addition to create a bunk room for a vacation house.
- Powdermaker Residence: Waban, Ma. 2013
Total house gut/rehab. with large addition.
- Ecker Residence: Newtonville, Ma. 2012
Master bedroom/bathroom remodeling.
- Tezler Residence: Newton Corner, Ma. 2012
Kitchen remodel w/ new sit-in bay and mudroom addition.
- Frorer Residence: Newton Center, Ma. 2012
Kitchen remodeling and new deck.
- O'Hara Residence: Waltham, Ma. 2012
Kitchen/dining rm, mudroom remodeling.
- Swager Residence: Newton Corner, Ma. 2012
Entry hall stairway restoration and powder room remodeling.
winner of a 2015 Newton Preservation Award
- Auerbach Residence: West Newton, Ma. 2012
New two car garage w/ living space above to match historic 1885 mansard style home.
- Murry Residence: Squantum, Ma. 2012
Attic build-out into master bedroom suite.
- Browne Residence: Newton Centre, Ma. 2011
Two story rear addition w/ family rm, kitchen and M. bedroom suite above.
- Bernstein Residence: Newton Centre, Ma. 2011
Total interior demo./rehab. of 1860 mansard-style home.

- McNerney Residence: Cambridge, Ma. 2011
Attic remodeling; Master bath build-out; eyebrow dormer.
- Blanco Residence: Newton Corner, Ma. 2011
Attic build-out for bedroom & bath.
- Schmill Residence: Needham, Ma. 2011
Kitchen, mudroom remodeling w/ new screen porch
- Sadowsky Residence: Newton Centre, Ma. 2011
Two-car carport with multi-level deck above.
- Gage Residence: Newton Centre, Ma. 2010
Kitchen, family rm. & mudroom addition with attached garage
winner of a 2010 Newton Preservation Award
- Meyer Residence: Thompsonville, Ma. 2010
Second story over garage for violin makers studio.
- McLeod Residence: Newton, Ma. 2010
Eat-in bay addition to kitchen; mudroom.
- O'hara Residence: Waltham, Ma. 2007
Remodeling Guest room over garage..
- Smart Residence: Ashland, Ma. 2009
Office suite build-out over a two-car garage.
- Dimond Residence: West Newton, Ma. 2009
Master bedroom suite remodeling.
- Gillman Residence: Newtonville, Ma. 2009
Second floor addition & master bedroom suite.
- Gluck Residence: Newton Corner, Ma. 2008
New entry canopy on existing home.
- Talcott/Meigs Studio Residence: Newton Corner, Ma. 2008
New 1800 sf studio cottage;
recipient of a LEED (Leader in Energy & Environmental Design) Silver certification
- Kelly Residence: Newton Corner, Ma. 2008
Master bathroom built from unfinished attic space.
- Lewis Ruben Residence: Newton Highlands, Ma. 2007
Restoration of entry portico of 1880s period home.
winner of a 2008 Newton Preservation Award
- Ecker Residence: Newton Corner, Ma. 2007
Kitchen & basement remodeling in Bungalow-style home.
- Renning/Havens Residence: Newton Corner, Ma. 2007
Dressing room, Master bathroom second floor addition.
- Swagger Residence: Newton Corner, Ma. 2007
Dressing room, Master bathroom & Laundry remodeling.
- Broomberg Residence: Concord, Ma. 2007
Kitchen & family room, mudroom remodeling.
- Cantor Residence: West Newton, Ma. 2006
Kitchen/dining room addition.
- Perse Residence: Newton, Ma. 2006
New free standing detached garage.
- Gagne Residence: Georgetown, Ma. 2006
Mudroom addition & entry canopy.
- Shaughnessey Residence: Newton Corner, Ma. 2006
Basement build-out for in home office with separate exterior entrance.
- Shambroom/McCluskey Residence: Royalston, Ma. 2006
Total gut rehab. of second home in western Mass. for artist owner.
- Golus/Varhas Residence: Newton Corner, Ma. 2005
Kitchen/ mudroom addition & major remodeling.

- Whitehouse Residence: Newton, Ma. 2005
Build-out the attic into an office, bath & guest room.
- McKay Residence: Newtonville, Ma. 2005
Third floor interior remodeling for bedrooms & common room.
- Wiener Residence: Canton, Ma. 2005
Kitchen remodeling & family room addition.
- Kenslea Residence: Newton, Ma. 2004
Kitchen/ Laundry/Mudroom remodeling
- DiNатели Residence: Pembroke, Ma. 2004
Two story addition w/ family room & master bedroom suite.
- North Star Trading Post & Cafe: Naples, Me. 2004
Restoration of historic 7500 sf post & beam commercial structure.
- Bigger Residence: Cold Spring Harbor, N.Y. 2003
Pool and associated site improvements; build-out home office interior.
- Green Residence: Darian, Ct. 2003
Mudroom & new entry.
- Light/ Howatt Residence: Natick, Ma. 2003
Two story addition w/ family room/garage & office/ master bedroom suite.
- Grohs Residence: Jamaca Plain, Ma. 2003
Addition with family room and stairs; mudroom/ kitchen remodeling.
- Harrison Residence: Warwick, R.I. 2002
Master bedroom, sunroom and office addition with roof deck
- Bigger Residence: Cold Spring Harbor, N.Y. 2001
Kitchen/breakfast rm. & m. bath remodeling; historic preservation.
- Bergh Residence: Lexington, Ma. 2001
Kitchen, family rm. & second story bedroom addition.
- Peterson Residence: Wellesley, Ma. 2001
500 sf poolhouse.
- Kamin Residence: Canton, Ma. 2000
Kitchen, mudroom, breakfast rm. & laundry remodeling.
- Fulton Residence: Wilton, Ct. 2000
Mud room, stair addition to residence.
- Nickerson/Dyst Residence: Harvard, Ma. 2000
Mud room, stair, studio & office addition and major remodeling to residence.
- Nahill Residence: Arlington, Ma. 2000
Two story addition for family rm. & master bedroom.
- Metropolitan Baptist Church: Dorchester, Ma. 1999
Remodeling and sanctuary addition.
- Osburne/Rothstein Residence: Lexington, Ma. 1999
480 SF music room & study addition to residence
- Sieber/Gregory Residence: Newton, Ma. 1999
Renovation and dormer addition to residence.
- Bridgewater State College Children's Center: Bridgewater, Ma. 1998
1500 SF tension fabric structure for shade over a playground
- Bigger Residence: Shelter Island, N.Y. 1998
2500 SF Residential total reconstruction.
- Atlantic Development: Hingham, Ma. 1998
2300 SF Office Interior.
- Phillips Associates: Hingham, Ma. 1998
1800 SF Office Interior.
- Phillips Residence: Norwell, Ma. 1998
Renovations to Residence.

Druxes Residence: Old Stonington, Vt.. 1997
350 SF Residential addition.
First Baptist Church: Hanson, Ma. 1997
1200 SF office & classroom addition.
Cataumet United Methodist Parish: Cataumet, Ma. 1996
Narthex & balcony addition to historic Cape Cod Church.
Connolly Residence: Whitman, Ma. 1996
350 SF Residential addition.
Hitching Post Restaurant: Hanson, Ma. 1996
3000 SF commercial kitchen addition & remodeling- Phase III
Glascott Residence: Weston, Ct. 1996
Major renovation and additions to residence.
St. John's Baptist Church: Woburn, Ma. 1995
Handicap lift & associated remodeling for access.
Roadway Safety Service Inc.: Ronkonkoma, New York. 1994
2300 SF Office Interior.
Nichol Residence: Wilton, Ct. 1994
4300 SF new Residence.

ASSOCIATE ARCHITECT- Donham & Sweeney Architects Inc.
Boston, Ma.; 1987-1994

ASSOCIATE ARCHITECT- Buttrick, White & Burtis Architects,
New York City; 1984-1987

STAFF ARCHITECT- Ellerbe Architects,
New York City, 1984

STAFF ARCHITECT- Gruzen Partnership Architects & Planners,
New York City, 1981-1984

CONSTRUCTION EXPERIENCE:

Design/Build, 1976-1981

-Decks: Baltimore & Philadelphia.

A series of eighteen decks for a variety of inner city rowhouse sites.

-Renovations: Baltimore & Philadelphia.

Design & construction of numerous rowhouse renovations.

Carpentry, 1973-1976

-Construction Superintendent: Baltimore, Md. 1976

Employed by an owner/architect for a rowhouse renovation.

-Exterior Trim Sub-contractor: Denver, Colorado. 1973-1976

Installed siding, fascia, soffit, doors & windows in large housing developments.

PUBLICATIONS:

-American Home Style: January 1993

"Dressed for the Season" article featuring the Forte residence kitchen

-Family Circle : March 1995

"The Kitchen You've Always Wanted" article featuring the Forte residence kitchen

-Great Garages, Sheds and Outdoor Buildings: September 1996

Garage design featured on the cover of Home Planners, Inc. book of designs.

-Newton Magazine: January 2009

"What is Waste?" article featuring the Sustainable Waste Management

Collaborative role in reducing the waste stream from construction sites.

-Newton Tab: April 22, 2009

"Another 'green' Newton home wins the silver" article featuring the
Talcott/Meigs studio LEED certification.

- Fine Homebuilding: annual house issue May 2009
"Dump the Dumpster" article about waste management on construction sites.
- Green Building Pro/ Green Building Journal: January 2010
"New Resources for Sustainable Waste Management in Residential Construction."
- NESEA's Northeast Sun: spring 2010 (Northeast Sustainable Energy Assoc quarterly)
"Sustainable Waste Management on Residential Construction Sites"
- Boston Globe Magazine: Letter to the editor: August 2010
"Home Demolition Fever is Back"
- Interior Graphic Standard: Second Edition 2010, John Wiley & Sons; contributor
"Existing Building Interiors: Recycling Construction & Demolition Waste"

AWARDS:

- Newton Preservations Awards: November 2008
Restoration of the entry canopy at 11 Chester Street, Newton Highlands.
- Green Business Award: May 2009
Newton/Needham Chamber of Commerce for the Sustainable Waste Management Collaborative.
- Newton Preservations Awards: November 2010
Restoration and additions to 808 Commonwealth Ave, Newton Centre.
- Newton Preservations Awards: November 2015
Restoration 1880s home exterior and interior gut/rehab into 4-unit condo bldg.
- Newton Preservations Awards: November 2015
Interior restoration of a stair hall.

#369-19



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

September 23, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Karen Haywood, of 69 Walker Street, Newtonville as a Trustee of the Jackson Homestead. Her term of office shall expire on May 31, 2022 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller

Ruthanne Fuller
Mayor

RECORDED
2019 OCT -2 AM 10:21
CITY OF NEWTON
MASSACHUSETTS

Newton, MA Boards & Commissions

Application Form

Profile

Karen (Katy)

First Name

Haywood

Last Name

Middle Initial

[Redacted]

Email Address

69 Walker St.

Home Address

Suite or Apt

Newtonville

City

MA

State

02460

Postal Code

What Ward do you live in?

Ward 2

[Redacted]

Primary Phone

Alternate Phone

Employer

Job Title

Which Boards would you like to apply for?

Jackson Homestead: Appointed

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

Upload a Resume



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

3168-19
Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

September 23, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Treffle LaFleche, of 1603 Commonwealth Avenue, West Newton as a Trustee of the Jackson Homestead. His term of office shall expire on May 1, 2022 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

2019 OCT -2 AM 10:21

Application Form

Profile

Treffle (Treff) _____ LaFleche _____
 First Name Middle Initial Last Name

 Email Address

1603 Commonwealth Avenue _____
 Home Address Suite or Apt

West Newton _____ MA _____ 02465 _____
 City State Postal Code

What Ward do you live in?

Ward 1

 Primary Phone

 Alternate Phone

Lda Architect & Interiors, LLp _____ Architect _____
 Employer Job Title

Which Boards would you like to apply for?

Jackson Homestead: Appointed
 Zoning Board of Appeals: Appointed

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

[TreffLaFleche_Resume.pdf](#)
 Upload a Resume

TREFFLE E. LAFLECHE, AIA, LEED AP

Principal

Treff's professional experience has focused on providing client focused and context sensitive design and project management services. Treff has achieved local and national recognition for his expertise in the merging of historic and contemporary aspects of New England residential and institutional architecture. He is a creative leader in a collaborative search for appropriate design solutions. His dedication to excellence is evident from the smallest detail to the broadest planning gesture.

COMMUNITY EXPERIENCE
City of Newton FAR Zoning Working Group

This 7-person team of Newton professionals and citizens has been working closely with the Newton Planning and Inspectional Services departments as well as Newton ZAP to examine, evaluate and make recommendations regarding current FAR regulations in response to the elimination of Footnote 7 in the Newton Zoning Ordinances.

Chair, Historic Newton Capital Campaign Steering Committee

This sub-committee of the Joint Board of Historic Newton is responsible for raising the \$5.5M Historic Newton Capital Campaign goal.

Member, Historic Newton Board of Directors
Durant-Kenrick Homestead & Grounds Transition Committee

This sub-committee of the Joint Board of Historic Newton is responsible for the design, public approval, acquisition and construction of the restoration and renovation of the historic 1732 Durant-Kenrick Homestead & Grounds in the City of Newton.

PROJECT EXPERIENCE
Jesuit Community of the Weston School of Theology, Boston, MA

Residences for 65 members of the Jesuit Community on Boston College's Brighton Campus

Appalachian Mountain Club, Crawford Notch, NH

Highland Center Lodge and Education Center, in collaboration with Carlone & Associates

First Unitarian Society in Newton, Newton, MA

Master plan, exterior and interior renovations

First Parish Unitarian Universalist, Beverly, MA

Master plan and feasibility study

Marist Brothers Retirement Community, Framingham, MA

Housing, dining and chapel

Commonwealth School, Boston, MA

Multiple Renovations including: dining room, kitchen, library, and science labs

Lesley University, Cambridge, MA

Office of Student Affairs, renovation and addition

Private Residences throughout New England

Professional Experience

LDa Architecture & Interiors, LLP,
Cambridge, MA, 1992-Present

Perry Dean Rogers | Partners, Boston,
MA, Associate, 1985 - 1992

Skidmore Owings & Merrill, Boston, MA,
1984 - 1985

Education

University of Virginia
Master of Architecture, 1987

Dartmouth College
Bachelor of Arts, 1977

Certification

Registered Architect
Massachusetts, New Hampshire, Maine,
Connecticut, New York,
South Carolina

NCARB Certified, 2000

Teaching

Boston Architectural Center
Design Instructor/Thesis Advisor

University of Virginia School of
Architecture Studio Instructor

2019 NOV 12 PM 2:41

Referred to Programs & Services Committee

#389-17

#399-19

Re-Appointment of David A. Olson as City Clerk

PRESIDENT LAREDO AND VICE PRESIDENT KALIS, pursuant to Section 2-7 of the City Charter, recommending that the City Council re-appoint David A. Olson as City Clerk; said term will begin on January 1, 2020 for a term of two years or until a successor is duly qualified.

Referred to Finance Committee

#398-17

Reappointment of Susan Dzikowski as Comptroller

PRESIDENT LAREDO AND VICE PRESIDENT KALIS, pursuant to Section 2-7 of the City Charter, recommending that the City Council reappoint Susan Dzikowski as Comptroller; said term will begin on January 1, 2020 for a term of two years or until a successor is duly qualified.



City of Newton, Massachusetts
Office of the Mayor

RUTHANNE FULLER
MAYOR

Telephone
(617) 796-1100
Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
rfuller@newtonma.gov

October 28, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$207,500 from the Reserve for Snow/Ice Removal Acct# 0110498-579400 to Acct # 0160253-524300 Forestry Tree Services to fund the costs of tree damage cleanup from the October 16, 2019 significant wind event.

Significant statistics of the storm include:

- Over 500 reported issues involving trees,
- At least 30 whole trees lost,
- Storm response peak staffing included 9 bucket trucks and 5 log loaders, and
- More than 2,000 cubic yards of debris.

Additional details are attached. Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

2019 OCT 28 PM 2:58
 Ruthanne Fuller
 Mayor
 Newton, MA 02459



RUTHANNE FULLER
MAYOR

NEWTON PARKS AND RECREATION DEPARTMENT

246 Dudley Road, Newton, MA 02459
Office: (617) 796-1500
TDD/TTY: (617) 796-1089
parks@newtonma.gov

387-19



ROBERT J. DERUBEIS
COMMISSIONER

October 24, 2019

Honorable Mayor Ruthanne Fuller
Newton City Hall
1000 Commonwealth Ave
Newton, MA 02459

Dear Mayor Fuller

I am writing to respectfully request that you docket with the Honorable City Council for consideration a request for \$207,500 for cleanup after a significant wind event beginning on October 16, 2019. These funds cover the emergency response, dangerous tree mitigation and debris disposal. Budget accounts that need to be replenished are in-house overtime of \$ 25,500 plus contractual services of \$182,000.

Thank you for your consideration in this matter.

Sincerely,

Robert J. DeRubeis
Parks & Recreation Commissioner

CC: Jonathan Yeo, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer
0160253 513010 \$ 25,500
0160253 524300 \$ 182,000

October 2019 Wind Event Summary and Cost Estimate

10/21/2019

On October 16th the City experienced a significant wind event. The wind event was one of our largest events in the last ten years. Below are the highlights.

- Over 500 reported issues involving trees
- At least 30 whole trees lost due to complete failure (many with compromised roots)
- Storm response peak staffing included 9 Bucket Trucks and 5 Log Loaders (In-house & Contractual)
- Over 2000 cubic yards of debris

Emergency Response/ Clean-up, October 16th through November 1st

Contract Services

| Date | 10/16 | 10/17 | 10/18 | 10/19 | 10/20 | 10/21 | 10/22 | 10/23 | 10/24 | 10/25 | 10/28 | 10/29 | 10/30 | 10/31 | 11/1 |
|----------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------|
| Crew Hrs | 46 | 145 | 48 | 0 | 0 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 |

Total Contract Hours 10/16/19 - 11/1/19 -- 319

Total Contract Expenses 10/16/19 - 11/1/19 -- \$114,000

In-House Overtime Expenses

| Date | 10/16 | 10/17 | 10/18 | 10/19 |
|-----------|-------|-------|-------|-------|
| Staff Hrs | 67 | 93.5 | 57.5 | 54 |

Total In-house Overtime Hours 10/16/19 - 11/1/19 -- 272

Total In-house Overtime Expenses 10/16/19 - 11/1/19 -- \$13,000

Total Emergency Response/ Cleanup -- \$127,000

Dangerous Tree Mitigation

Post storm work required to address urgent tree removals and hanging branches due to damage caused by the storms. Also includes risk assessments of remaining trees.

Total Contract Crew Hours -- 280

Total Contract Expenses -- \$86,000

Total In-house Overtime Hours -- 110

Total In-house Overtime Expenses -- \$6,000

Total Dangerous Tree Mitigation -- \$92,000

Storm Debris Disposal

Thousands of cubic yards of woody debris and wood chips are staged in our yard that requires removal and disposal from City property.

Total Contract Debris Disposal and Hauling Costs -- \$42,000

Total In-House Debris Hauling Costs -- \$6,500

Total Storm Debris Disposal -- \$48,500

Total Contractual Expenses -- \$242,000

Total In-House Overtime Expenses -- \$25,500

Total October Storm Costs -- \$267,500

Approximate Available Forestry Funds -- \$60,000

Total Appropriation Needed -- \$207,500



RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

415-19

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
rfuller@newtonma.gov

RECEIVED
Newton City Clerk
2019 NOV 12 AM 3:20
David A. Olson, CMC
Newton, MA 02459

November 12, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$69,000 from Acct # 0110498-579000 Current Year Budget Reserve to Acct # 0110111-511103 City Council Officials with Benefits to cover the costs of six months of the City Council new salary (\$15,500 vs \$9,750).

On September 26, 2019, in accordance with the provisions of Section 3-8 of the Newton City Charter entitled Adoption of Measures; Mayor's Veto.. I submitted my veto of City Ordinance #208-19(A)(B) & (C) adopted by the City Council on September 16, 2019.

As you know, on October 7, 2019 the Council voted to override my veto. This transfer will cover the six month period remaining in FY2020.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

CITY OF NEWTON

DOCKET REQUEST FORM

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: April 29, 2019

From (Docketer): Councilor Baker

Address: _____

Phone: _____

E-mail: _____

Additional sponsors: Councilor Grossman

RECEIVED
CITY CLERK
2019 APR 29 PM 3:36
David A. Olson, City
Newton, MA 02459

1. Please docket the following item (it will be edited for length if necessary):

Councilors Baker and Grossman recommending amendment to the Newton noise ordinance to clarify the appropriate sound and other limit for rocks saws and similar devices used in construction work in residential areas.

2. The purpose and intended outcome of this item is:

- | | |
|--|--|
| <input type="checkbox"/> Fact-finding & discussion | <input checked="" type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input type="checkbox"/> Other: _____ |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

PLEASE FILL OUT BOTH SIDES

5. I estimate that consideration of this item will require approximately:

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

- _____
- _____
- _____
- _____
- _____

- _____
- _____
- _____
- _____
- _____

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

- 9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
- 11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Councilor Baker
Signature of person docketing the item

[Please retain a copy for your own records]

Nadia Khan

From: David A. Olson
Sent: Wednesday, October 23, 2019 3:34 PM
To: Nadia Khan
Subject: FW: noise ordinance clarification

From: Lisle Baker <councilorbaker@comcast.net>
Sent: Wednesday, October 23, 2019 3:21 PM
To: Donna Whitham <dwhitham@newtonma.gov>; John Rice <jrice@newtonma.gov>
Cc: Marc C. Laredo <mlaredo@newtonma.gov>; Rebecca Walker Grossman <rwgrossman@newtonma.gov>; David A. Olson <dolson@newtonma.gov>
Subject: noise ordinance clarification

[DO NOT OPEN links/attachments unless you are sure the content is safe.]

Dear Ms. Whitman and Chair Rice:

I would be grateful if you would have copies of the noise ordinance available for the Programs and Services Committee tonight, as well as on a separate page this proposed amendment:

Amend Ordinance Section 20-13 as follows:

(g)(2) would read as follows with proposed new added language in bold faced type:

Electric drills, sanders, rock or masonry saws, other saws (except chainsaws for cutting wood), or other power tools....etc.

I have heard nothing further from Mr. Lojek in response to copying him on my email response to Mr. Temple. Also, a concerned citizen who was adversely affected by the current interpretation of the ordinance, Ms. Weinberg, will be attending the meeting, and can give first hand testimony about the need for this amendment, if the Chair is willing.

I will be late to the meeting but in time for this item. I hope that the Committee will be supportive of this proposed amendment so as to avoid similar difficulties in the future without adversely affecting desirable residential construction activities that still need to go on.

Thanks very much.

Councilor Baker

----- Original Message -----

From: Lisle Baker <councilorbaker@comcast.net>

To: Jonah Temple <jtemple@newtonma.gov>

Cc: "Marc C. Laredo" <mlaredo@newtonma.gov>, Rebecca Walker Grossman <rwgrossman@newtonma.gov>, "Marie M. Lawlor" <mlawlor@newtonma.gov>, John Lojek <jlojek@newtonma.gov>

Date: October 22, 2019 at 5:14 PM

Subject: RE: noise ordinance clarification

Dear Jonah:

I appreciate the feedback and the good suggestion.

My understanding is that the ordinance limits such construction noise at the boundary, not at the source, as in the case of leaf-blowers under our new rules. Therefore, it would require someone using a rock or masonry saw to shield the noise more than otherwise if it were affecting property owners nearby, or instead do some of the rock cutting work offsite. The situation that gave rise to this concern involved rock saw work for an extended period over many days in building a rock wall, which is the kind of disruption to neighbors that the noise ordinance was designed to avoid. Finally, if there is a significant hardship, I understand that the Mayor can grant an exception.

With that background in mind, however, I am copying Mr. Lojek so that he can offer his views. My sense is that the purpose of the proposed amendment is simply not to ban construction noise but to make it tolerable when and where it occurs, something which should be in the public interest.

Thanks,

Councilor Baker

On October 22, 2019 at 4:49 PM Jonah Temple <jtemple@newtonma.gov> wrote:

Councilor Baker,

This looks fine as to legal form and character, but I do have concerns about the substance. My understanding from when this issue last came up is that it is not possible to operate rock saws within a 75bd sound limit. To the extent that this amendment would effectively ban all rock saws from operating in Newton, that is a potential legal issue I would want to consider further. It may be helpful to get some input from ISD on this.

Jonah M. Temple
Assistant City Solicitor
City of Newton Law Department
1000 Commonwealth Ave.

Shawna Sullivan

From: David A. Olson
Sent: Monday, September 24, 2018 10:44 AM
To: Shawna Sullivan
Subject: Fwd: Docket Item

Get [Outlook for iOS](#)

From: Alison M. Leary <aleary@newtonma.gov>
Sent: Sunday, September 23, 2018 5:17 PM
To: David A. Olson
Cc: Deborah J. Crossley
Subject: Docket Item

Hi David,

Please docket the following item:

Councilors Leary, Crossley, Greenberg and Downs requesting discussion and adoption of best practices, including a mandate to separate recyclables from trash and include recycling pick up to meet Massachusetts Waste Ban regulations (310CMR 19.017), for private haulers doing business anywhere within the City Of Newton.

Thank you.

Alison M. Leary
Newton City Council
Ward 1
617-821-5619

RECEIVED
Newton City Clerk
2018 SEP 24 AM 10:19
DAVID A. OLSON
Newton, MA 02459

Sec. 11-5. Trash, Garbage—Permit required to transport; recycling services required.

All persons transporting trash or garbage through the public ways of the city from places within or to destinations within the city shall first obtain from the health department a permit therefor. All persons offering these services are required to offer full recycling services to all places where such collection of trash or garbage occurs within the city. All persons shall show evidence of such recycling plan of services, which plan must be approved by the commissioner of public works or his/her designee and recommended to the commissioner of health and human services at the time of the annual permit request. All such permits shall expire at the end of the calendar year in which they are issued. No permit may be transferred without approval of the health and human services department. (Rev. Ords. 1973, § 8-38(a); Ord. No. 59, 2-20-75; Ord. No. S-1, 7-11-83; Ord. No. X-175, 05-26-05; Ord. No. Z-68, 06-21-10; Ord. No. A-14, 03-18-13)

Cross reference—Licensing and permits generally, Ch. 17; G.L. c. 111 sec. 31A.

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

19.014: Prohibition on Open Dumps and Dumping Grounds and Illegal Disposal of Solid Waste

- (1) No person shall establish, construct, operate or maintain a dumping ground or operate or maintain a landfill in Massachusetts in such manner as to constitute an open dump. For the purpose of 310 CMR 19.014, the phrase "establish, construct, operate or maintain" shall include without limitation, disposing or contracting for the disposal of refuse in a dumping ground or open dump.
- (2) No person shall dispose or contract for the disposal of solid waste at any place in Massachusetts which has not been approved by the Department pursuant to M.G.L. c.111, § 150A, 310 CMR 16.00: *Site Assignment Regulations for Solid Waste Facilities* or 310 CMR 19.000.
- (3) No person shall dispose or contract for the disposal of solid waste at any facility in Massachusetts that is not approved to manage the particular type of solid waste being disposed.

19.015: Compliance

No person shall construct, modify, operate or maintain a facility except in compliance with a site assignment, permit or plan approved by the board of health or the Department, as applicable, and any authorizations issued by the Department and all conditions included in a permit, approval or authorization for said facility.

19.016: Post-closure Use

No person shall use a solid waste management facility site for any purpose after closure without:

- (a) obtaining a written approval from the Department for any post-closure use on a landfill's final cover or affecting an appurtenance to said landfill, including but not limited to, appurtenances required for the management of leachate, landfill gas and stormwater; or
- (b) submitting a valid certification in accordance with 310 CMR 19.035 for a post-closure use at a transfer station which is not a C&D transfer station; or
- (c) obtaining a presumptive approval in accordance with 310 CMR 19.034 for any other type of post-closure use at a solid waste facility not subject to 310 CMR 19.016(1)(a) or (b).

19.017: Waste Bans

- (1) Purpose. The Department may restrict or prohibit the disposal, or transfer for disposal, of certain components of the solid waste stream when it determines that:
 - (a) disposal of the material presents a potential adverse impact to public health, safety or the environment; or
 - (b) a restriction or prohibition will result in the extension of the useful life or capacity of a facility or class of facilities or reduce its environmental impact; or
 - (c) a restriction or prohibition will promote reuse, waste reduction, or recycling.
- (2) General and Specific Restrictions. Where the Department makes a determination to restrict or prohibit the disposal, or transfer for disposal, of a particular material it may:
 - (a) require as a condition of issuance of a permit that a facility prohibit or limit the disposal, or transfer for disposal, of particular types of material.
 - (b) require as a condition of continued operation under an existing plan approval or permit that a facility or a class of facilities prohibit or limit the disposal, or transfer for disposal, of particular types of material; or
 - (c) determine that a specific facility or class of facilities are not approved for the disposal of particular types of material and may not contract for the disposal of particular types of

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

19.017: continued

(3) Compliance with Waste Restrictions.

(a) Effective on the dates specified in 310 CMR 19.017(3): *Table* restrictions on the disposal or transfer for disposal of the materials listed therein shall apply as specified. No person shall dispose, transfer for disposal, or contract for disposal or transport of the restricted material, except in accordance with the restriction established in 310 CMR 19.017(3): *Table*. Any person who disposes, transfers for disposal or contracts for disposal or transport of restricted material may be subject to enforcement by the Department pursuant to 310 CMR 19.081.

(b) No landfill, transfer facility or combustion facility shall accept the restricted material except to handle, recycle or compost the material in accordance with a plan submitted pursuant to 310 CMR 19.017(6) and approved by the Department.

(c) On the effective date of the restrictions on Cathode Ray Tubes (CRTs), specified in 310 CMR 19.017(3): *Table*, all persons shall segregate CRTs from the solid waste stream.

Table 310 CMR 19.017(3)

| Restricted Material | Effective Date of Restriction for Landfills or Combustion Facilities | Effective Date of Restriction for Transfer Facilities | Restriction |
|---------------------------|--|---|---|
| Lead Batteries | December 31, 1990 | April 1, 2000 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Leaves | December 31, 1991 | April 1, 2000 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Tires | December 31, 1991 | April 1, 2000 | Ban on disposal or transfer for disposal of whole tires only at landfills. Tires must be shredded prior to disposal in landfills. |
| White Goods | December 31, 1991 | April 1, 2000 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Other Yard Waste | December 31, 1992 | April 1, 2000 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Aluminum Containers | December 31, 1992 | April 1, 2000 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Metal or Glass Containers | December 31, 1992 | April 1, 2000 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Single Polymer Plastics | December 31, 1994 | April 1, 2000 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

19.017: continued

Table 310 CMR 19.017(3) (continued)

| Restricted Material | Effective Date of Restriction for Landfills or Combustion Facilities | Effective Date of Restriction for Transfer Facilities | Restriction |
|--------------------------------------|--|---|---|
| Asphalt Pavement, Brick and Concrete | July 1, 2006 | July 1, 2006 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Metal | July 1, 2006 | July 1, 2006 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Wood | July 1, 2006 | July 1, 2006 | Ban on disposal or transfer for disposal at landfills |
| Clean Gypsum Wallboard | July 1, 2011 | July 1, 2011 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |
| Commercial Organic Material | October 1, 2014 | October 1, 2014 | Ban on disposal or incineration or transfer for disposal at a solid waste disposal facility |

(4) Criteria for Determinations of Waste Restrictions on Other Materials. In determining whether to restrict or prohibit the disposal of other materials the Department may consider:

- (a) the nature and degree of potential adverse impacts;
- (b) the quantities of restricted materials generated;
- (c) the availability of non-disposal management options for the restricted materials;
- (d) the economic impact on the facility, class of facilities or generators subject to the restriction;
- (e) such other factors as the Department deems relevant to such a determination.

(5) Exceptions. The Department may allow a facility or person to temporarily dispose or temporarily contract for the disposal of restricted materials, with prior notification and approval of the Department, under the following circumstances:

- (a) the material is contaminated or is otherwise not acceptable for recycling or composting, provided that the person who contaminated or rendered the material unfit for recycling or composting takes any action necessary to prevent a recurrence of the conditions which contaminated or rendered the material unfit; or
- (b) the recycling or composting operation or end user to which the restricted material is normally sent declines to accept the material or is prohibited from accepting the material as a result of an administrative or judicial order, provided that an alternative recycling or composting operation or storage facility which will accept the material cannot be found within a reasonable time.

(6) Waste Ban Plan Submissions.

- (a) The permittee or operator shall submit a plan, or modify an existing approved plan to include newly banned materials, which describes the actions to be taken to comply with the restrictions imposed at 310 CMR 19.017(3). The plan shall be submitted to the appropriate regional office of the Department.

310 CMR: DEPARTMENT OF ENVIRONMENTAL PROTECTION

19.017: continued

3. Facility response to failed loads, including:
 - a. communication; and
 - b. failed load disposition.
4. Other compliance plan elements, including:
 - a. training;
 - b. signage; and
 - c. annual waste ban report.

(c) In determining the adequacy of a plan the Department may consider, without limitation: the anticipated quantities and sources of restricted materials; the contractual terms which affect the delivery of said materials; the expected maximum and minimum percentages of diversion of said materials prior to delivery to the facility and capture of said materials at the facility; the design, operational, educational, informational, financial and marketing mechanisms to be employed to achieve compliance with the restriction; and the weighing and record keeping systems by which the Department can verify compliance with the restriction.

(d) Facilities shall submit such plans at least 90 days prior to the effective date of the ban. The schedule shall not limit the Department from requiring submission of a plan as part of an application for a new or existing facility permit or modification of a permit or plan approval.

(7) Compliance with Waste Ban Plan. Failure to comply with approved plans submitted pursuant to 310 CMR 19.017(6) or applicable permit conditions shall constitute a violation of 310 CMR 19.000. The Department may allow *de minimis* quantities of restricted materials, as determined by the Department, to be disposed by the facility. The Department may require, in lieu of an enforcement action described in 310 CMR 19.081, a modified plan to be submitted when restricted materials are being disposed of in excess of approved amounts.

19.018: Third-party Inspections

(1) Purpose. 310 CMR 19.018 sets forth third-party inspection requirements for specific types of facilities.

(2) Applicability.

(a) The third-party inspection requirements at 310 CMR 19.018 shall apply to the following types of facilities and to individuals who conduct third-party inspections at such facilities:

1. active landfills;
2. closed landfills;
3. handling facilities;
4. combustion facilities; and
5. other solid waste activities or facilities, as determined by the Department.

(b) Effective Date. The third-party inspection requirements of 310 CMR 19.018 shall be effective 180 days from February 14, 2014.

(c) Existing Third party Inspection Requirements. Where a facility has an existing third-party inspection requirement established in a permit or enforcement document issued prior to February 14, 2014 the facility shall use that inspection frequency (in the existing permit or enforcement document) if it is more frequent than the frequency specified in 310 CMR 19.018. All other requirements of 310 CMR 19.018 shall apply to such third-party inspections.

(d) Nothing in 310 CMR 19.000 shall be construed to limit the Department from determining that more frequent third-party inspections or more stringent requirements for third-party inspections are required for a facility. When deemed necessary by the Department,

Best Practices for Municipalities Developing Private Hauler Regulations

Best Practices for Municipalities Developing Private Hauler Regulations

FINAL – March 2017

Municipal Waste Ban Compliance Regulation

NOTE TO USER

The following document was developed in response to requests from municipal officials in the Commonwealth of Massachusetts who want to increase recycling by ensuring that all Private Haulers operating in the municipality are in compliance with the Massachusetts Waste Bans (310 CMR 19.017).

This document contains sample language that can be adopted as is, edited, or used in conjunction with Town specific language to best address the circumstances in each municipality. *Optional Language*, included as ATTACHMENT 2 with this document, provides additional language that may be important to some municipalities depending on their involvement in Solid Waste management, including: provision of recycling containers, unit-based pricing, food waste collection and other recycling incentives.

This guidance document can be used to adopt a bylaw/ordinance or regulation around three general areas:

1) Mandatory Recycling – If your municipality does not already require generators to separate Recyclables from Solid Waste, it is recommended that Section V in the attached template be adopted in conjunction with Sections 2 or 3 (below) to assure that the Permitted Hauler requirements under Sections 2 and 3 are fairly enforced by the municipality. Mandatory Recycling can help ensure compliance with the Massachusetts Waste Bans and support the efforts of Permitted Haulers to collect Solid Waste and Recyclables separately.

Information on Mandatory Recycling and Private Hauler regulations can be found on the MassDEP website: <http://www.mass.gov/eea/agencies/massdep/recycle/reduce/mandatory-recycling.html>

2) Residential Only Private Hauler Regulations - A municipality may choose to only regulate collection of Solid Waste from Residential Customers/Generators. If so, the sections referring to Commercial Customers should be eliminated from this document. Residential Customers/Generators, for purposes of this document, shall mean property owners and occupants of single and multi-family dwellings, condominiums, public housing, and mobile homes.

3) Residential and Commercial Private Hauler Regulations - A municipality may choose to regulate both residential and commercial waste hauling activity, and therefore adopt all the language contained in this document, as modified to meet the specific circumstances of each municipality.

In all cases, the final bylaw/ordinance and/or regulation developed should be reviewed by your Municipal Attorney before adoption.

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GENERAL LANGUAGE TEMPLATE

RULES AND REGULATIONS FOR REMOVAL, TRANSPORT, AND DISPOSAL OF SOLID WASTE OR RECYCLABLES IN THE TOWN/CITY OF _____

I. Purpose

The goal of these regulations is to protect public health and the environment and ensure that all Private Haulers collecting Solid Waste and Recyclables adhere to the Massachusetts Waste Ban regulations and uniformly comply with permit requirements established by the Town/City of _____. This should ensure that:

- The environmental benefits of recycling are maximized;
- There is joint enforcement of the Waste Ban requirements by the municipality and all Private Haulers operating within the municipality;
- There are fair and equitable rules for all Private Haulers operating in the municipality;
- All residents and businesses have convenient (parallel) access to recycling collection services;
- All Private Haulers licensed to operate in a municipality are in compliance with state regulations (310 CMR 19.017);
- There is greater consistency across municipalities to promote clear operating guidelines for Private Haulers; and,
- Municipalities and Private Haulers work together to support the goals of the Solid Waste Master Plan and the Global Warming Solutions Act.

II. Authority

These regulations establish minimum requirements for the systematic collection of Solid Waste and Recyclables in order to promote waste reduction, comply with State-mandated Waste Bans (310 CMR 19.017), and further the goals of the Town/City of _____. The Board of Health of the Town/City of _____ adopts these regulations under the provisions of Chapter 111 Sections 31, 31A, 31B, 122 and 150A of the Massachusetts General Laws.

Private Haulers shall only collect for disposal those items acceptable for disposal. Materials banned from disposal under 310 CMR 19.017 shall not be included with Solid Waste.

III. Effective Date

These regulations shall take effect on _____.

Best Practices for Municipalities Developing Private Hauler Regulations

IV. Definitions

For the purposes of this regulation, the following words and phrases shall have the following meaning unless the content clearly indicates otherwise:

Commercial Customers/Generators shall mean property owners and occupants of any commercial, industrial, institutional, municipal, school, or mixed use building within the Town/City of _____.

Customer shall mean either Residential Customer/Generator or Commercial Customer/Generator.

Mercury Disposal Prohibition shall mean Disposal Prohibition Provision of the Mercury Management Act (Chapter 190 of the Acts of 2006). Effective May 1, 2008, mercury-added products cannot be disposed of in Solid Waste. The law also prohibits any Solid Waste collector from collecting as Solid Waste the contents of a Solid Waste container that the collector knows (or reasonably should know) includes one or more mercury-added products. Details may be found at this link:

<http://www.mass.gov/eea/docs/dep/toxics/laws/hgbanfaq.pdf>

Permitted Hauler shall mean any Private Hauler who has obtained a valid Private Hauler permit from the Town/City of _____.

Private Hauler shall mean any person or entity providing collection of Solid Waste and/or Recyclables for hire within the Town/City of _____.

Recyclables shall mean a material that is banned from disposal in the Commonwealth of Massachusetts pursuant to 310 CMR 19.017: Waste Bans. Mixed paper, cardboard, glass, metal, and plastic containers are priority materials of this regulation.

Residential Customers/Generators shall mean property owners and occupants of single and multi-family dwellings, condominiums, public housing, and mobile homes within the Town/City of _____.

Solid Waste shall mean useless, unwanted or discarded non-recyclable solid and liquid wastes, excluding items restricted from disposal in Massachusetts, as defined by Table 310 CMR 19.017(3) of the Massachusetts' Solid Waste regulations (310 CMR 19.017).

Town/City shall mean the _____ *Town/City of* _____

Waste Ban Materials shall mean all materials designated as banned from disposal in the Commonwealth of Massachusetts pursuant to 310 CMR 19.017: Waste Bans, including: asphalt pavement, brick & concrete, cathode ray tubes, clean gypsum wallboard, commercial food waste, ferrous and non-ferrous metals, glass & metal containers, lead acid batteries, leaves and yard waste, recyclable paper, cardboard and paperboard, single resin narrow-necked plastics, treated and untreated wood and wood waste (banned from landfills only), white goods (large appliances), and whole tires (banned from landfills only).

Best Practices for Municipalities Developing Private Hauler Regulations

V. Mandatory Recycling

(NOTE TO USER: If the municipality has already codified Mandatory Recycling for waste generators, insert reference to municipal regulation/bylaw/ordinance here). These regulations are intended to support and align with the Town/City of _____ Mandatory Recycling bylaw/ordinance and/or regulation as follows.

OR

(NOTE TO USER: If the municipality has not yet codified Mandatory Recycling for waste generators, the following language may be utilized): In order to protect the environment, promote recycling and be in compliance with Massachusetts Waste Ban regulations (310CMR 19.017); the Town/City of _____ hereby establishes a requirement for mandatory separation of Recyclables from the Solid Waste stream. This requirement applies to all Residential Customers/Generators and Commercial Customer/Generators in the Town/City of _____.

(NOTE TO USER: Below are options to enact Mandatory Recycling for waste generators:

- **Massachusetts General Law Chapter 40 Section 8H enables the legislative body (Town Meeting, city council) to establish a program for recycling. Any recycling program established pursuant to this section may require that all residents, schools and businesses in a city or town separate from their Solid Waste those Recyclables designated by the municipality.**
- **Local Boards of Health may choose to adopt Mandatory Recycling regulations under the provisions of MGL Chapter 111 Section 31.**
- **Municipalities may choose to enforce the Massachusetts Waste Bans 310 CMR 19.017.)**

The Town/City of _____ will inform all generators (residential and commercial) at least once per year that recycling is mandatory.

VI. Permit Required

All Private Haulers wishing to collect, transfer, or transport Solid Waste or Recyclables generated within _____ shall be required to first obtain or annually renew a permit from the Town/City of _____. No Private Hauler may collect Solid Waste or Recyclables unless they have obtained a valid Private Hauler Permit from the Town/City. Private Haulers that collect only Recyclables must also be permitted.

A. Permit Application

The permit application shall include the formal name of the person or company, a statement that the person or company is registered to do business in Massachusetts and that the person or company is fully insured, and a contact name, address, and telephone number. Copies of certificates of insurance for public liability and property insurance also shall be included.

The permit application must include a statement that the Private Hauler understands, and is in compliance with the Massachusetts Waste Bans and Mercury Disposal Prohibition. The Private Hauler shall list the Solid Waste disposal facilities and the Recycling processing facilities where Solid Waste and

Best Practices for Municipalities Developing Private Hauler Regulations

Recyclables are expected to be delivered from Private Hauler's Customers during the permit year. The application shall be signed by a designated representative of the company, permitted to do business within the Commonwealth of Massachusetts.

The application shall include information on the types of services intended to be offered, and the approximate number of collection trucks expected to be used in the municipality during the course of the permit year. The application shall include information on how the Private Hauler intends to ensure that Customers prevent Waste Ban materials from being disposed with Solid Waste, and how the Private Hauler intends to notify Customers of improper Recycling or Solid Waste disposal.

Upon receipt of a complete permit application, the Board of Health shall have _____ days to rule on the granting of a permit to operate within the Town/City of _____. In addition, the applicant shall pay an annual permit fee of _____ (insert fee) as determined by the Town/City of _____.

B. Annual Permit Renewal

Each Permitted Hauler shall annually submit a renewal application of his/her permit no later than the 1st of _____ (insert month) (*recommend one month in advance of permit expiration*), by paying the annual permit fee.

The annual renewal application must indicate any changes from the original permit, including any change in Solid Waste or Recyclables facilities used, and must be signed by a business owner. The renewal must be accompanied by the following information or a completed Annual Solid Waste and Recyclables Reporting Form (ATTACHMENT 4):

- Total tons of Solid Waste collected for disposal and total tons of Recyclables collected for processing from Residential Customers/Generators within the Town/City of _____ during the previous calendar year or 12-month period. (In the case where the Permitted Hauler delivers loads for disposal or recycling that are combined with more than one municipality, then the Permitted Hauler must provide their best estimate of tonnage delivered from the Town/City.)
- The average number of Residential and Commercial Customers using each service (Solid Waste, Recycling) during the previous calendar year within the Town/City.
- The names of any Commercial Customers where the Permitted Hauler is providing Solid Waste only service.
- The names of any Commercial Customers where the Permitted Hauler is providing Recycling only service.
- Copies of any Waste Ban violation letters or notices received by the Permitted Hauler during the prior year that refer to loads collected within the Town/City of _____.

Failure to provide a complete and accurate Annual Solid Waste and Recyclables Reporting Form may be grounds for denial of a permit to operate within the Town/City of _____.

Annual permits will be issued by the 1st of _____ each year.

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C. General Permit Requirements

All Permitted Haulers must be in compliance with the following general permit requirements:

- All Permitted Haulers must clearly display the name of the company on each vehicle operating in the municipality.
- All Permitted Haulers must be in compliance with applicable federal, state and local laws. Each vehicle must meet all Department of Transportation safety requirements at all times.
- All materials must be securely contained in the vehicle. Littering or leaking shall be considered a violation of the permit.
- Recyclables shall not be commingled with Solid Waste when collected by the Permitted Hauler. Recyclables must be delivered to a processing facility designed to accept Recyclables. The Permitted Hauler shall inform Customers how to prepare acceptable Recyclables consistent with the requirements of the Recyclables processing facility.
- Permitted Haulers shall only collect for disposal Solid Waste which is not banned from disposal. It is the responsibility of the Permitted Hauler to educate the Customer about the Waste Bans and inform them that they will refuse to collect Solid Waste mixed with Waste Ban items that are visible to the driver/collector from any of their Customers (there is no requirement to open bags). Please refer to the list of Waste Ban items (ATTACHMENT 1) which may not be accepted at Massachusetts' disposal facilities.
- In the event that the Permitted Hauler refuses to collect any materials, the Permitted Hauler will notify such Customers in writing of the reason(s) for refusal to collect the Solid Waste or Recyclables. In addition, the Permitted Hauler will advise the Board of Health about Customers who have received rejection notices. The Board of Health will, where possible, assist the Permitted Hauler with enforcement of the Mandatory Recycling provision and/or Waste Ban requirement.

VII. Bundled Service Requirement

(NOTE TO USER: The goal of this requirement is to ensure that Permitted Haulers provide a bundled service for the collection of both Solid Waste and Recyclables for each Customer. This ensures that all Customers have access to recycling services in order to be in compliance with the Waste Bans.)

A. Service to Residential Customers/Generators

For **Residential Customers/Generators**, the bundled service must provide Customers with Solid Waste and Recyclables collection at a rate that reflects the cost of providing both services. Solid Waste and Recycling services must be provided by the same Permitted Hauler unless otherwise pre-approved by the Board of Health. The Permitted Hauler may itemize the invoice to clearly show the cost of Recycling collection contained in the bundled service.

All Permitted Haulers serving Residential Customers/Generators must provide appropriately-sized, paired Solid Waste and Recyclables containers that are clearly marked and adjacent or in close proximity to each other.

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B. Service to Commercial Customers/Generators

For **Commercial Customers/Generators**, the Permitted Hauler must provide both Solid Waste and Recyclables collection; unless the Customer can provide proof to the Permitted Hauler that separate Recycling services are provided by another Permitted Hauler or via one of the methods listed on the Recycling Service Exemption Form (ATTACHMENT 5). Permitted Haulers may charge separately for the collection of Recyclables. Commercial Customers/Generators may choose to contract for collection of Recyclables by a second Permitted Hauler that only performs Recyclables collection. Permitted Haulers that collect only Recyclables are not required to collect Solid Waste.

Permitted Haulers must provide the names and addresses of their Solid Waste only Commercial Customers to the Town/City so the Town/City can follow up to ensure that those Customers are complying with the Waste Bans.

C. Exceptions

(NOTE TO USER: If the Town/City has a protocol for requesting an exception to any requirement of this regulation, insert here.)

VIII. Inspection

The Board of Health or its designee is authorized to inspect a Permitted Hauler’s truck and load at any time. The Board of Health also has the right to require weight slips or confirmation of disposal of Solid Waste or management of Recyclables.

IX. Enforcement

Enforcement of this regulation shall be by criminal complaint in the district court and/or non-criminal disposition ticket per MGL Chapter 40, Section 21D. Agents of the Board of Health or its designee shall have the power to enforce the provisions of this regulation.

A. Penalties

In the event that a Permitted Hauler fails to follow these regulations, the Board of Health reserves the right to impose reasonable fines and/or revoke the permit to operate within the Town/City, subject to the Appeal Provisions described below.

- (a) First offense warning
- (b) Second offense \$ _____ fine
- (c) Third offense \$ _____ fine
- (d) Subsequent offenses not less than \$ _____ nor more than \$ _____

Each day of failure to comply with the regulations shall constitute a separate violation.

Best Practices for Municipalities Developing Private Hauler Regulations

B. Appeal Provisions

Any Permitted Hauler cited for a violation of these regulations may appeal such citation by filing a written notice of appeal with the Board of Health within seven (7) days, exclusive of Saturdays, Sundays and legal holidays, from the date of said citation. A hearing will be held within 60 days from the date of the filing of the appeal. Written notice of the hearing date will be delivered to the applicant at least two (2) weeks prior to the scheduled date. The hearing will be conducted in accordance with the established procedures of the Board of Health.

C. Legal Provisions – Town specific

(NOTE TO USER: If the Town/City has standard language for legal provisions, insert here.)

Best Practices for Municipalities Developing Private Hauler Regulations

ATTACHMENTS

1. **List of Waste Ban Materials**
2. **Optional Language**
3. **Permit Application**
4. **Annual Solid Waste and Recyclables Reporting Form**
5. **Recycling Service Exemption Form for Commercial Generators**
6. **Waste Ban Educational Handout:**
<http://www.mass.gov/eea/docs/dep/recycle/laws/wbfact.pdf>



John Rice
Chair, Programs & Services Committee
Newton City Council
1000 Commonwealth Ave.
Newton, Ma 02459

Nov. 20, 2019

Dear Chair Rice:

I regret that I am unable to attend this evening's Programs & Services meeting but wanted to pass along the chamber's concerns regarding item 503-18 related to a proposed mandate to require private haulers used by businesses and nonprofits to separate recyclables from trash and include recycling pick up.

While the chamber certainly agrees with the good intentions of this proposal, I'd urge the council to explore potential unintended consequences before proceeding.

Most significantly, we need to understand the financial impact this regulation would have on our small business owners and nonprofits which would inevitably be asked by their private haulers to absorb this added expense, especially at a time when the resale market for most recyclables has dropped.

We also must understand the logistics of this mandate. This regulation would inevitably require businesses and nonprofits to have a second dumpster. Creating space for a second dumpster could be a challenge for some, potentially resulting in the loss of a parking space, landscaping or other accommodations. Finally, at time when traffic congestion, carbon emissions and road conditions are on everyone's mind, we should at least weigh the environmental benefits of added recycling against the negative impact of adding a second fleet of private disposal trucks to our streets.

These are just three examples of issues that must be explored before moving forward. Given that we are rapidly approaching the end of the year, I strongly urge that the committee not take action on this proposal in 2019. The chamber would be happy to participate in a thoughtful review of this proposal were it to be refiled in 2020.

Sincerely,


Greg Reibman
President

CC: Programs & Services committee members, Mayor Fuller, Devra Bailin

RECEIVED
Newton City Clerk

CITY OF NEWTON

DOCKET REQUEST FORM

2019 JUL 15 PM 2: 54

DEADLINE NOTICE: Council Rules require items to be docketed with the Clerk of the Council NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL COUNCIL MEETING.

To: Clerk of the City Council

Date: July 15, 2019

From (Docketer): Barbara Brousal-Glaser

Address: _____

Phone: _____ E-mail: _____

Additional sponsors: _____

1. Please docket the following item (it will be edited for length if necessary):

Councilors Brousal-Glaser, Downs, Kelley, Krinzman, Greenberg, Leary, Noel and Norton requesting a RESOLUTION from the City Council of Newton to officially support the Green New Deal.

2. The purpose and intended outcome of this item is:

- | | |
|--|---|
| <input type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Expenditure, or bond authorization | <input type="checkbox"/> License or renewal |
| <input type="checkbox"/> Special permit, site plan approval, | <input type="checkbox"/> Appointment confirmation |
| <input type="checkbox"/> Zone change (public hearing required) | <input type="checkbox"/> Other: _____ |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

5. Estimate that consideration of this item will require approximately:

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

- _____
- _____
- _____
- _____
- _____

- _____
- _____
- _____
- _____
- _____

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion:

| |
|----------------------|
| Schedule for October |
|----------------------|

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

| |
|--|
| |
|--|

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councilors have a chance to review all relevant materials before a scheduled discussion.)

Please check the following:

- 9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
- 11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Barbara Brousal-Glaser
Signature of person docketing the item

[Please retain a copy for your own records]

Resolution for a Green New Deal

A Resolution by the Newton (Massachusetts) City Council calling for the federal government to pass a Green New Deal.

WHEREAS, The Newton City Council wants the children and grandchildren of this community protected from the risks of climate destruction;

WHEREAS, an October 2018 United Nations Intergovernmental Panel on Climate Change (IPCC) report says we have only until 2030, to limit devastating global warming and avoid a climate change catastrophe;

WHEREAS, the October 2018 IPCC report also makes clear that every bit of warming matters, so every fraction of a degree less of warming will save lives and pay dividends across the world's economies; including local communities such as Newton;

WHEREAS, the world is already experiencing serious, costly, and increasing impacts from climate change, including more intense storms, unprecedented flooding and persistent wildfires;

WHEREAS, the City of Newton has already acknowledged and assessed its climate related risks in its Climate Vulnerability Assessment;

WHEREAS, the City of Newton is committed to fighting climate change as seen in its Climate Action Plan;

WHEREAS, an inadequate response to climate change will increase economic and environmental disruptions that threaten human life, healthy communities, and critical infrastructure. These include, but are not limited to: severe storms, longer and hotter heat waves, worsening flood and drought cycles, growing invasive species and insect problems, accelerated species extinction rates, rising sea levels, increased wildfires, and a dramatic increase in refugees from climate impacted lands;

WHEREAS, the most negative impacts of climate change are generally falling on frontline communities. Frontline communities that are underrepresented, such as lower-income communities or communities of color, are bearing the initial burden of climate change, but are least equipped to adapt to these impacts. Therefore, Newton, not being a frontline community, has a duty to advocate for vulnerable communities;

WHEREAS, doing what is now necessary to adequately address the climate crisis requires a national mobilization of a scope and scale that is a historic opportunity to address inequities caused and exacerbated by the fossil fuel economy as well as providing unprecedented levels of prosperity and economic security for all people in the United States;

WHEREAS, Senator Ed Markey and Representative Alexandria OcasioCortez released, on February 7, 2019, [a Resolution](#) Recognizing the duty of the Federal Government to create a Green New Deal;

WHEREAS, federal Green New Deal legislation would create a detailed mobilization plan to:

- within a decade, achieve net-zero greenhouse gas emissions through a fair and just transition for all communities and workers;
- create millions of good, high-wage jobs and ensure prosperity and economic security for all people of the United States;
- invest in the infrastructure and industry of the United States to sustainably meet the challenges of the 21st century;
- secure for all people of the United States for generations to come:
 - clean air and water;
 - climate and community resiliency;
 - healthy food;
 - access to nature;
 - and a sustainable environment;
- and promote justice and equity by stopping current, preventing future, and repairing historic oppression of indigenous communities, communities of color, migrant communities, deindustrialized communities, depopulated rural communities, the poor, low-income workers, women, the elderly, the unhoused, people with disabilities, and youth;

WHEREAS, local governments calling for the federal government to pass a Green New Deal will demonstrate widespread popular support for necessary and just climate action;

THEREFORE BE IT RESOLVED, that The Newton City Council calls on the U.S. Government to, as soon as possible, pass a Green New Deal based on the Resolution released on February 7, 2019 by Senator Ed Markey and Representative Alexandria Ocasio-Cortez.:

CERTIFICATION

The foregoing resolution was adopted by _____ in _____ on _____ with a quorum present.

Signed by: _____

Attest: _____

Letter to the Newton City Council from the Climate Advocacy Club of Newton North High School

The Green New Deal is a game-changer for the country. It is a concrete and inspiring resolution that recognizes the nation's duty to protect ourselves from the devastating economic, social, and environmental effects of climate change by achieving net-zero carbon emissions, while creating millions of good jobs and righting historical injustices in the process. We encourage every Councilor to read the resolution in its entirety.

You may be asking, *but what does the Green New Deal have to do with Newton? Why should a local city government endorse a federal resolution?* The answer is: endorsing the Green New Deal will be incredibly significant on both a national and a community level.

Newton's Climate Action Plan is a terrific piece of legislation, but we must acknowledge that in order to combat worldwide extinction, every community must play its part in the climate fight. By endorsing the G.N.D., the city is doing what it can in order to achieve climate justice on a larger scale. And in order for us to have a thriving economy, clean air, and clean water, for the people who live in Newton now and in the future, we must do what we can to achieve climate justice on a larger scale. The Green New Deal will be more likely to pass if towns all across the country release similar endorsements.

Many other towns, especially in Massachusetts, have endorsed the G.N.D. as well. [Boston](#), [Northampton](#), [Brookline](#), and [Cambridge](#) have all released endorsements, along with many other cities across the country. They all realize the importance of standing up for what we believe in, i.e. a just, equitable, and complete transition to carbon neutrality, at a local level.

The term "Green New Deal" is a meaningful term for activists. Especially for us young people, the resolution symbolizes all that we want for our country: just climate action. People in Newton as a whole, and at our high school especially, are extremely anxious and desperate about our future. If Newton endorses the Green New Deal, it will be incredibly significant; signalling that even if the national government fails us and throws away our possibility for a happy and economically secure future, our city has the courage to stand up for what we believe in.

We urge the Newton City Council to pass a Green New Deal Resolution because we believe it is Newton's duty to its country and its citizens. Stand on the right side of history.