

CITY OF NEWTON

BOARD OF ALDERMEN

REVISED

PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, OCTOBER 7, 2009

7:45PM – Room 222

ITEMS SCHEDULED FOR DISCUSSION:

- #296-09 HIS HONOR THE MAYOR appointing John M. MacGillivray as the Veteran's Agent and Licensing Board Administrative Director. [09-29-09 @ 12:29 PM]
- #297-09 HIS HONOR THE MAYOR requesting that the Board of Aldermen designate City Solicitor, Daniel M. Funk, as the liaison to the State Ethics Commission to assist in the City's compliance efforts with the new requirements of the conflict of interest law. [09-29-09 @ 12:28 PM]
- #292-08(2) PROGRAMS AND SERVICES COMMITTEE requesting that His Honor the Mayor develop a written policy of standards and processes that could be uniformly followed by community groups for the use of the branch library buildings. [11/07/08 @ 11:11 AM]

REFERRED TO PROGRAM AND SERVICES AND FINANCE COMMITTEES

- #302-09 HIS HONOR THE MAYOR requesting the establishment of three School Department revolving funds; each fund is to be used for receiving and expending up to \$25,000 annually for the purpose of the deposit of revenue for customer services provided by students and for the payment of corresponding expenses for the Automotive Technology, Carpentry and Graphics Communications Departments. [09/17/09 @ 10:16 AM]

REFERRED TO PUBLIC FACILITIES AND PROGRAMS & SERVICES

- #8-09 ALD. HESS-MAHAN, LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12/30/08 @ 9:55 AM]
- #232-09 ALD. HESS-MAHAN, DANBERG AND FREEDMAN requesting an amendment to the City of Newton Ordinances to ban the sale of tobacco products at pharmacies in Newton. [07/16/09 @ 9:42 AM]

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

#298-09 ALD. MANSFIELD proposing Home Rule Legislation to amend **Article 2, Section 2-1(c) Composition; Eligibility; Election and Term** of the Newton Charter to establish four-year terms for Aldermen-at-Large with the provision for one Aldermen-at-Large to be elected from each ward at each biennial municipal election. [09-29-09 @ 6:45 PM]

Re-Appointment by His Honor the Mayor

#276-09 TERENCE SACK, 64 Dorcar Rd., Newton Centre, re-appointed as a Member of the NEWTON YOUTH COMMISSION for a term to expire on September 15, 2012. (60 days: 11/20/09) [09/03/09 @ 2:33 PM]

#258-09 CLERK OF THE BOARD requesting that Article II, Section 2A(1)B(1), **Procedures regarding Board action on traffic and parking petitions** and Article V, Section 3, **Procedures for referral and reporting of traffic and parking petitions**, of the Rules of the Board, be amended to reflect the procedures as outlined in Ordinance Z-12, passed on December 7, 2007. [08/06/09 @ 3:12 PM]

REFERRED TO RULES SUBCOMMITTEE

#124-09(2) ALD. JOHNSON AND SANGIOLO proposing to limit the number of terms held by Chairmen of the Committees of the Board of Aldermen. [06/15/09 @ 10:17 AM]

#95-09 TOM SHEFF requesting the Board of Aldermen appoint an advisory committee made of up persons who are not elected officials to review the daily processes of the Board of Aldermen and report recommended efficiency improvements to the Board of Aldermen. [03/26/09 @ 8:34 pm]

REFERRED TO LONG RANGE PLANNING

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#130-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend from Cable Receipts the sum of twenty-four thousand nine hundred eighteen dollars (\$24,918) for the purpose of purchasing equipment to provide for archived web casting of the Board of Aldermen and School Committee meetings. [4/28/09 @ 6:02 PM]

#129-08 ALD. JOHNSON, SANGIOLO AND BRANDEL requesting establishment of a new Rule of Board of Aldermen stating that any new item submitted but not yet approved or accepted by the Full Board of Aldermen is prohibited from any formal or informal discussion by any formal, informal or special committee of the Board. [03/24/08 @ 9:11 AM]

- #125-09 THE POST AUDIT & OVERSIGHT COMMITTEE requesting creation of a public tree protection ordinance and amendment of the current tree ordinance as recommended in the Tree Preservation Ordinance Report. [04/17/09 @ 9:14 PM]

REFERRED TO LAND USE AND PROGRAMS & SERVICES COMMITTEES

- #474-08(2) ALD. HESS-MAHAN & VANCE proposing that Article X of the Rules & Orders of the Board of Aldermen be amended to conform with a proposed amendment to Chapter 30 re transfer of the special permit granting authority to the Zoning Board of Appeals and/or the Planning & Development Board for projects that are not classified as Major Projects pursuant to Article X.

REFERRED TO PS&T AND PROGRAMS & SERVICES COMMITTEES

- #391-08 HIS HONOR THE MAYOR requesting Board of Aldermen approval to petition the General Court for an amendment to the legislation that governs the appointment of a Police Chief in the City of Newton in order to add two members to the committee: an additional representative of the Newton Superior Officers Association and an additional citizen member. [11/4/08 @ 12:31 PM]

- #306-08 ALD. BAKER, DANBERG, MANSFIELD & PARKER requesting discussion of how swimming at Crystal Lake might be lawfully and safely extended beyond mid-August. [08/26/08 @ 5:03 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #274-08 ALD. JOHNSON AND SANGIOLO proposing a RESOLUTION to His Honor the Mayor requesting that he create a plan to move the Child Care Commission to a self-sustaining model for FY2010. [07/17/08 @ 9:53 AM]

**REFERRED TO PROG. & SERV., ZONING & PLANNING, PUB. FACIL.,
PUB. SAFETY AND FINANCE COMMITTEES**

- #273-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that the Executive and Human Resources Departments develop a comprehensive human capital strategy for the city to include: performance management, talent development, succession planning, and compensation. [07/17/08 @ 9:53 AM]

REFERRED TO PROG. & SERV. AND PUBLIC FACILITIES COMMITTEES

- #271-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, the Parks and Recreation Department, and the Department of Public Works in order to determine the most effective and efficient way to organize the work of managing our public resources. [07/17/08 @ 9:53 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #270-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, School Department, and School Committee in order to determine the most effective and efficient way to organize the Information Technology Departments. [07/17/08 @ 9:53 AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #261-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding moving the Director of Arts in the Parks' salary to the Arts in the Parks revolving account. [07/08/08 @ 1:29 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #259-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding moving the salaries of the Parks & Recreation Commissioner and the Recreation Programs Director to the revolving accounts for various programs. [07/08/08 @ 1:28 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #258-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding reorganization of senior transportation services and establishment of intra-village transportation systems. [07/08/08 @ 1:29 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #207-08 ALD. BRANDEL AND SANGIOLO proposing that the following question be put before the Newton voters:
"Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 ½ the amounts required to pay for the bond issuance in order to fund Newton North High School?" [05/21/08 @ 12:58 PM]

REFERRED TO PROG. & SERV., PUB.FAC. AND FINANCE COMMITTEES

- #89-08 ALD. PARKER requesting the following:
- A) review of the maintenance practices for buildings, parks and other properties owned by the City (including School Department facilities and grounds)
 - B) development of a comprehensive maintenance plan that includes regular schedules for preventive maintenance for each specific site or facility
 - C) a RESOLUTION requesting that implementation of said maintenance plan be funded using operating budget funds.
- [02/13/08 @ 12:07 PM]
- #287-07(2) ALD. PARKER requesting a discussion with Parks and Recreation Department in regards to an appropriate marker or plaque to honor and recognize Olympic figure skater and Newton resident Tenley Albright and

her skating exhibition at the Crystal Lake upon her return from the 1956 Olympic Games where she won a gold medal. [09/20/07 @ 1:22 PM]

- #262-07 ALD. VANCE AND HESS-MAHAN seeking approval by the Board of Aldermen of a home rule petition to the General Court that would authorize an amendment to the charter of the City of Newton that would change the length of terms of the members of the Board of Aldermen to three years and would provide for electing one-third of the aldermen, one from each ward, every year. [08/22/07 @ 3:53 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #83-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to adopt the proportion of Governors Municipal Partnership that would allow the City to reduce employee health insurance costs by joining the Group Insurance Commission. [02/27/07 @ 10:21 PM]

- #82-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to allow the cities and towns to tax all telecommunications facilities in the City (which would yield at least \$1.6 million per year for Newton). [02/27/07 @ 10:21 PM]

- #52-07 ALD. PARKER, SANGIOLO, MANSFIELD, HARNEY, DANBERG, VANCE, LINSKY, HESS-MAHAN, BURG, ALBRIGHT & JOHNSON requesting an ordinance amendment to create a health care advisory committee whose function would be to recommend measures to control the rate of increase of health insurance costs, as recommended by the Newton Finance & Management Working Group in 2005 and the Blue Ribbon Commission on the Municipal Budget in 2007. [02/09/07 @ 12:36 PM]

- #422-06(2) ALD. HESS-MAHAN requesting that a task force be established to meet and prepare a report and recommendations regarding the regulation of noise, air pollution and best practices with respect to the operation of power equipment used in landscaping, property and yard maintenance, including, without limitation, leaf blowers. [01/27/09 @ 3:47 PM]

- #370-06 ALD. SANGIOLO, PARKER, MANSFIELD requesting home rule legislation to allow advisory questions to be asked in a Newton special election.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #267-06(3) ALD. PARKER, BURG, LINSKY, FISCHMAN, HESS-MAHAN, VANCE, HARNEY, JOHNSON, & DANBERG proposing Home Rule Legislation authorizing the City of Newton to apply the ordinance proposed in item #267-06(2) to assets held by the City's retirement system.

REFERRED TO FINANCE AND PROGRAMS AND SERVICES COMMITTEES

- #245-06 ALD. JOHNSON AND HESS-MAHAN requesting an amendment to the City Charter to require the Mayor annually to prepare and submit to the Board of Aldermen a long-term financial forecast of anticipated revenue, expenditures and the general financial condition of the City, including, but not limited to identification of any factors which will affect the financial condition of the City; projected revenue and expenditure trends; potential sources of new or expanded revenues; anticipated municipal needs likely to require major expenditures; and a strategic plan for meeting anticipated municipal needs, to include, but not be limited to, any long or short-term actions that may be taken to enhance the financial condition of the City.
- #329-05(3) ALD. YATES requesting a discussion relative to amending the noise control ordinance to (A) prohibit the cumulative noise level from multiple pieces of equipment operating simultaneously on the same site to exceed the maximum noise levels allowed when measured at the nearest lot line and (B) to eliminate various exemptions in residential districts.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #264-03(3) ALD. JOHNSON AND BAKER requesting update on the work of the Taxation Aid Committee established by the Board of Aldermen in March 2004 in administering aid to the elderly taxation fund.
- #242-03(4) ALD ALBRIGHT, JOHNSON AND FISCHMAN requesting an extension of the expiration date in the Off-Leash Dog Pilot Program (Section 3-30(e) as established by ordinance Z-11) from December 3, 2009 to December 31, 2011, to allow the creation of additional designated areas or times in existing Newton parks, and to provide the opportunity for a full evaluation of this ordinance. [06/15/09 @ 10:13 AM]
- #346-99 ALD. SANGIOLO requesting creation of an ordinance that would prohibit dogs (leashed or unleashed) from all elementary school playgrounds.

**REFERRED TO PROGRAMS & SERVICES, PUBLIC FACILITIES
AND FINANCE COMMITTEES**

- #309-01 ALD. PARKER requesting increase in the income eligibility level of the 30% water/sewer discount for low-income senior citizens.

Respectfully Submitted,

Marcia Johnson, Chairman



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

September 29, 2009

#296-09

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Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

It is with great pleasure that, pursuant to Section 3-3 of the City Charter, I notify your Honorable Board of my appointment of Mr. John M. MacGillivray as the Veterans' Agent and Licensing Board Administrative Director. This appointment is effective immediately, subject to your Honorable Board's review. This letter constitutes notice of the appointment to the Clerk pursuant to Section 3-4 of the City Charter.

Mr. MacGillivray has most recently served as the Veterans' Agent for the Town of Natick, since 1991. In Natick he helped veterans and their families with financial assistance, medical care, employment assistance, burial options, and other important services. He also helped create many memorials and other tributes to those who served our country in the military. In addition to those duties, John served as the Town's Citizen Information Officer, produced a monthly show for the local cable TV access channel, and acted as the Town's ADA Compliance Officer, among other duties. Prior to that, he worked for the State Department of Veterans' Affairs. He is a veteran of the Marine Corps, serving there from 1968 to 1970. He has been active in many statewide veterans' organizations. John grew up in the City of Newton and has very strong ties to the community.

I am delighted to appoint John MacGillivray, who is a qualified, talented, and experienced individual, to the position of Veterans' Agent and Licensing Board Administrator.

Very truly yours,

David B. Cohen
Mayor

Cc: David Olson, City Clerk
Clerk, Board of Aldermen

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

09 SEP 29 PM 12: 29
CITY CLERK
NEWTON, MA. 02159



David B. Cohen
Mayor

City of Newton, Massachusetts
Office of the Mayor

#297-09

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CITY CLERK
NEWTON, MA. 02159

09 SEP 29 PM 12:28

September 29, 2009

Board of Aldermen
1000 Commonwealth Ave.
Newton Centre, MA 02459

Ladies and Gentlemen:

Recently, the state legislature enacted a series of amendments to the state conflict of interest law. These changes include a new requirement for dissemination of a summary of the law to all city employees on an annual basis along with a requirement that all city employees complete on-line training every two years.

Another of these amendments requires the city, through its board of aldermen, to designate a "senior level employee of the municipality" to serve as a liaison to the State Ethics Commission. This designation must be accomplished by January 27, 2010. The city's liaison will be trained by the Ethics Commission to assist the city in its compliance efforts with the new requirements of the conflict of interest law. It is important that we make this designation now as we prepare for our compliance efforts.

I would like to propose that the Board designate City Solicitor Daniel M. Funk as the liaison to the State Ethics Commission. As you know, Dan is well versed in the intricacies of the conflict of interest law and he will represent us in this capacity with great distinction.

Thank you for your consideration of this matter.

Very truly yours,

Mayor David B. Cohen





David B. Cohen
Mayor

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Office of the Mayor

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September 25, 2009

09 SEP 29 PM 4: 56
CITY CLERK
NEWTON, MA. 02159

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to establish three revolving funds and authorize spending up to \$25,000 each for the purposes outlined in the attached letter from the Newton School Committee.

Thank you for your consideration of this matter.

Very truly yours,

David B. Cohen
Mayor

DBC: srb

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us



DEDICATED TO COMMUNITY EXCELLENCE

Ward

- I Geoffrey Epstein
- II Reenie Murphy
- III Kurt Kusiak
- IV Jonathan Yeo
- V Susan Heyman
- VI Claire Sokoloff, Vice-Chairperson
- VII Marc Laredo, Chairperson
- VIII Dori Zaleznik

Newton School Committee

100 Walnut Street
 Newtonville, MA 02460
 Tel (617) 559-6110
 Fax (617) 559-6101
 www.newton.k12.ma.us
 schoolcommittee@newton.k12.ma.us

#302109 David Cohen
 Ex officio



September 15, 2009

CITY CLERK
 NEWTON, MA 02459

09 SEP 17 AM 10:16

Mayor David Cohen
 Newton City Hall
 1000 Commonwealth Ave.
 Newton Centre, MA 02459

Dear Mayor Cohen:

This letter is to request the Mayor and Board of Aldermen to authorize three departmental revolving funds in accordance with *MGL C.44, S.53E 1/2*, effective July 1, 2010, with annual spending limits of \$25,000 each for the Automotive Technology, Carpentry, and Graphics Communications Departments. These accounts will be used for the deposit of revenue for customer services provided by the students in the Career & Vocational Technical Education major and for the payment of corresponding expenses to deliver these services.

Sincerely yours,

Marc Laredo, Chairperson
 Newton School Committee

- c:
- Paul Stein, Deputy Superintendent
 - Sandra Guryan, Assistant Superintendent for Business, Finance & Planning
 - Sharon DeCarlo, Executive Director of Instructional Programs
 - Susan Dzikowski, Assistant Budget Director
 - Jennifer Price, Principal - Newton North
 - Diana Robbins, Director of Career & Technical Education
 - David Wilkinson, Comptroller
 - Board of Aldermen ✓

djr

Welcome to Field Shield AMI



Play it safe!

"Come forth into the light of things, Let Nature be your teacher."

William Wordsworth

[Click Here to Enter](#)

A 'Green Book' of environmentally-friendly, ecologically-safe artificial turf products, designs and professional services. FieldShield's mission is to address the safety of artificial turf and artificial turf fields; artificial turf hazards; the health-hazards of artificial turf and the health-hazards of synthetic turf, artificial grass, field turf and synthetic grass. We provide professional services, professional design services and athletic field design services and artificial turf consulting with expertise in the hazards of artificial turf and the hazards of synthetic turf. We are familiar with all major turf products, including: FieldTurf®; Sportexe®; SprinTurf®; AstroTurf®; ProGrass®; General Sports Turf®; Tiger Turf; and A-Turf®;

Some of these concerns involve lead in artificial turf; risks of artificial turf, bacteria in artificial turf as well as fungi and mold in artificial turf. Services and products also address synthetic running tracks, including urethane running tracks and other running track surfaces including latex running track surfaces. Other products and professional consulting services concern playground safety surfaces.

We boast significant knowledge concerning the dangers of artificial turf and the hazards of artificial turf. This knowledge allows us to provide artificial turf professional design services for athletic field construction, including; soccer fields; soccer pitches; football fields; lacrosse fields; multipurpose athletic fields; baseball fields; field hockey fields; rugby fields or pitches and running track surfaces using safe artificial turf. We concentrate on providing stable turf infill with no fly-out and also providing, Organite, an anti-microbial infill alternative to recycled-tire rubber and silica sand, used in sand/rubber infilled artificial turf and synthetic grass. The end-result is products and designs, which are compliant with California Prop 65, because we have virtually eliminated all environmental and ecological risks associated with artificial turf and synthetic grass.

FieldShield was founded with the goal of developing environmentally-friendly, ecologically-safe artificial turf products and systems and to promote the proper application of material science and civil engineering to turf design and construction.

The principals at FieldShield are uniquely suited to achieve this goal, in that our number includes the inventors of “sandless” all-rubber infilled turf (Patent #5,976,645) and the vertical-to-horizontal-drainage base construction methodology (Patent #7,128,497). Furthermore, they introduced the concept of infill stability (No Fly-Out) through minimization of infill and maximizing of grass weight and blade density.

We believe that a proper evaluation, or any viable comparison, of artificial turf products or concepts must be rooted in recognized material science and commonly accepted engineering principles – not in unsupported marketing claims, fantasy physics, layman endorsements or pretty pictures. Unfortunately, a studied scientific approach is usually overwhelmed by marketing, when it comes to the emotion-fueled decisions affecting an athletic venue.

Our, CEO, Philip Christiansen, is a professional engineer, with 40 years of professional engineering experience and holds an MS in Environmental Engineering. His approach - our approach – has been to identify deficiencies or problems and then develop solutions, by the application of the Scientific Method: Observation >> Hypothesis >> Prediction >> Testing >> Conclusion.

In addition to giving birth to a slew of innovative, eco-safe products embodied in our EcoSistem™ concept, this considered scientific approach has resulted in a timely, cost-effective, solution to current environmental, health and safety concerns surrounding artificial turf “infill” – that is: a safe, environmentally-friendly, heat-reducing, anti-microbial infill alternative we call, Organite™.

Phil was also first to recognize the failure of the industry to set proper drainage criteria in design specifications or to deal in a cost-efficient manner with water management issues. FieldShield can offer professional engineering consulting directly to the purchaser or to the purchaser’s professional design team, in order to facilitate the incorporation of appropriate products or eco-friendly construction concepts in the most economical manner. We call this service ECONomic DeZine. However, our primary goal remains the promulgation of environmentally-friendly and eco-safe replicated grass products and construction design that protect both the users and their environment. In the past few years there has been a veritable avalanche of articles and studies extolling the dangers inherent in artificial turf. These reports have focused on five areas of concern:

- (1) carcinogenic and toxic exposure to humans from components of the rubber and/or sand of the infill material,
- (2) carcinogenic or toxic exposure from heavy metals and other chemicals in the synthetic turf yarn polymer and/or pigment systems,
- (3) Exposure to bacteria, fungi or mold, which has propagated in the infill matrix,
- (4) environmental contamination, especially of the aquifer, from run-off through the infill and turf backing, and
- (5) excessive synthetic surface temperatures during high ambient temperature and severe solar energy exposure.

Each of these areas of risk is coming under greater study but no definitive conclusions can presently be drawn. Yet, many public officials and self-described “experts” are calling for moratoriums on the installation of synthetic turf. Unless, these officials and experts have unstated agendas, such an approach indicates acute unfamiliarity with advanced replicated grass technology, which can virtually eliminate the enumerated risks and concerns. No need to throwaway the artificial turf baby -- just keep it out of the eco-toxic bathwater! Let’s examine how FieldShield™ technology cleans-up that dirty bathwater and virtually eliminates all risks –

Problem#1: Recycled-tire rubber contains carcinogenic and toxic chemicals and “documented chemical exposures to a variety of volatile organic compounds, semi-volatile hydrocarbons, and other contaminants exist”— Another study by Dr. William Crane of CCNY and Dr. Junfeng Zhang of Rutgers Univ. raised serious questions and highlighted the risks – On May 20th, Attorney General Richard Blumenthal urged that the Connecticut Agricultural Experiment Station be assigned to conduct a new study to determine the potential hazards posed by crumb rubber used in artificial turf and gardening mulch. Blumenthal sent a letter to Gina McCarthy, commissioner of the state Department of Environmental Protection. It is clear from these and many other studies that rubber and sand (silica) contain hazardous chemicals; that humans are exposed to these chemicals through contact; through out-gassing above a threshold temperature; through run-off into the aquifer; and through ingestion. What remains to be determined is: do these exposures have the potential to exceed safe levels. Such determination will take some time.

Solution#1: Eliminate the recycled-tire rubber and silica sand hazards as a risk factor. Organite is an eco-safe alternative infill, which does not contain any of the potentially harmful chemicals of rubber or the respiratory irritants of silica sand- No harmful chemicals to be inhaled, ingested, outgassed or leached into run-off.

Problem#2: Most synthetic grass filaments or their pigment recipes contain trace amounts of heavy metals. The source of these chemicals is more the pigments used rather than the filament polymer, especially if the base polymer is a polyethylene. As with toys, the country of origin can affect the heavy metal content. Also, some colors, e.g., canary yellow, tend to contain more heavy metals than other colors. The question is: does the synthetic turf expose users to harmful levels of such chemicals through contact, inhalation or run-off.

Solution#2: Eliminate the possibility of any type of harmful exposure, by choosing a filament yarn and color with extremely low trace amounts of heavy metals. They are available. This requires a certification or “heavy metal statement” from the yarn manufacturer (not the turf purveyor) pertaining to the specific lots of yarn used on a site. A certification or statement is necessary for each color and lot of the filament polymer delivered to the job site and must be provided by the original manufacturer. FieldShield can provide such a certification, as can any bone fide turf company supplied by yarn manufacturers with eco-safe yarns.

Problem#3: The infill matrix (1/2” depth in EcoGreen66™ – 1.75” for most standard turf designs) can be a Petri dish for the propagation of bacteria, fungi and mold. This growth is more likely to occur in the lower depth of the infill where temperatures are moderated by the insulative effect of the upper level rubber and where moisture collects on the backing and in lower level infill. In sand/rubber filled systems, where the higher specific gravity of the sand causes it to stratify at the bottom, the moisture and nutrients held by the sand tend to promote mold growth at the backing. See typical bacteria report.

Solution#3: Organite is an anti-microbial infill (AMI), which virtually eliminates the growth of bacteria, fungi and mold in the infill depth. Every granule of Organite is factory-coated with Aegis Microbe Shield to provide full, durable, anti-microbial protection throughout the full depth of the infill matrix.

Problem #4: Infill rubber contains lead, arsenic, benzene, toluene, cadmium, copper, oil and carbon, as well as zinc and aromatic hydrocarbons. The extent to which water can leach these chemicals from the infill and contaminate soils and the aquifer is unknown, but anecdotal tests (Alison Draper, Bucknell U.) suggest harmful effects on aquatic communities from rubber infill. Significant controlled study, under actual use conditions, is needed to establish a valid level of risk. In addition, most artificial turf is coated with polyurethane, which can leave significant quantities of free un-polymerized urethane in the coating depending on the mixing, application and cure process. Urethane is known to cause reproductive toxicity and is listed on the State of CA Prop 65 list of harmful chemicals. Study is also necessary to determine if urethane leaches from these coatings and polyurethane backings need to be tested for free urethane, after each production run. This will take time.

Solution#4: Organite™ AMI (Anti-Microbial Infill) does not contain any harmful chemicals which can contaminate aquifers or soils, so no harmful run-off is possible. EcoGreen66™ replicated grass incorporates an eco-friendly polyolefin coating (GreenBack™), containing no urethane or other harmful chemicals, to eliminate concerns of urethane leaching.

Problem #5: Artificial turf produces a higher ambient temperature above the playing surface due to absorption of solar energy (electromagnetic radiation). The reflectivity or albedo of an artificial turf system, including the infill, is generally lower than natural grass (darker colors absorb more electromagnetic radiation) due to the exposure of dark infill. Also, artificial turf and rubber infill do not naturally contain and hold moisture, to provide evaporative cooling, as natural grass and soils do. Given a specific material (in this case, PE fiber or recycled tire rubber), the darker the color of the material, the more electromagnetic radiation will be absorbed and subsequently re-radiated to the ambient above the playing surface. Obviously, the darker the area of the playing surface; the more elevated are the temperatures to which the athletes are exposed during play. Also, because artificial turfs tend to ‘lay-over’ and expose more surface area directly to the sun’s radiation, insolation (solar radiation energy received) can increase, dramatically. In hot, dry (less clouds/low humidity) climates, and especially in southern latitudes, the preponderance of exposed black (rubber) material

is likely to create an unhealthy, excessively hot, playing condition (the 2002 “synthetic surface heat study” of C. Frank Williams and Gilbert Pulley, at Brigham Young University, recorded surface temperatures of 200 F, on a 98 degree day, on a leading competitor’s surface, with ambient temps recorded above 150 F). Not only is the air temperature above the surface excessive, but the surface temperature of the black rubber is actually dangerous to touch. In addition, as has been previously noted, surface temperatures exceeding 140F facilitate the outgassing of toxic chemicals in recycled-tire rubber.

Solution#5: Organite™ is an eco-safe infill alternative, which reduces artificial turf heat because it has a low albedo due to its very light brown color, and because it naturally contains and retains moisture. In fact, its natural inorganic component (which can be increase in high-heat climates) is capable of holding more than double its weight in moisture. This renders the infill unusually effective in providing and extending evaporative cooling, when water is introduced for the purpose of cooling the surface. Additional heat reduction can be realized by the use of replicated grass surfaces like EcoGreen66™, which boasts a high micron monofilament grass blade that resists “lay-over”. This keeps the angle of the filaments with the sun much more acute, which greatly reduces insolation. So there it is. Baby saved! Simply by taking advantage of currently available, advanced synthetic turf technology, all of the potential risks can be addressed and eliminated. No need to delay your artificial turf installation waiting for the results of studies, which ignore current technology. No need to wait for studies which only address obsolescence. The publication of numerous scientific studies over the past few years, has raised concerns regarding environmental, health and safety liabilities associated with recycled tire rubber and/or sand, when used as an “infill” in today’s artificial turfs. In response to these concerns, FieldShield, Inc has developed the first Anti-Microbial Infill (AMI™) alternative. The AMI product, we call Organite™, is a polyorganic all-natural, environmentally friendly, compound which contains no synthetics and, therefore, contains no polycyclic aromatic hydrocarbons (PAHs); butylated hydroxyanisole or any other known carcinogens. Neither does it contain any of the chemicals of recycled tire rubber which are suspected to cause reproductive or developmental toxicity. Also, since Organite contains none of the carcinogens or chemicals which cause reproductive harm, annually listed by the State of California, it is compliant with that State’s Prop 65 and, therefore, does not require warning signage, in CA. Obviously, concerns about respiratory exposure to particulate from rubber dust or silica sand; ingestion by children of known carcinogens; as well as run-off contamination of the aquifer by the infill, are eliminated with Organite.

AMI

This is where the story usually ends for the products currently marketed as ‘safe’ alternatives to recycled tire rubber in artificial turf. But this ignores the significant problem - often exacerbated by inclusion of sand in the infill - of bacteria, fungi and mold growth within the infill depth. FieldShield™ addresses this problem of microbial contaminant growth, not just on the surface but rather through the full depth of the infill matrix. This is accomplished by integrating a unique antimicrobial product, SportAide 1000® , through factory-coating of every Organite infill particle.

This highly effective anti-microbial is both extremely durable and environmentally-friendly and will continuously inhibit growth of bacteria, mold and fungi, year after year. Powered by ÆGIS Microbe Shield® this antimicrobial technology has been used safely in medical and consumer goods for more than 30 years. It is non-toxic, hypoallergenic, non-sensitizing and nonirritating to human skin; it will not wash-off nor is it consumed or dissipated in executing its anti-microbial protection. This is because the microbe killing mechanism is not chemical. The water-based antimicrobial technology of SportAide 1000 will not leach heavy chemicals into the environment or facilitate the growth of adaptive organisms. The brilliance of this approach; is that FieldShield does not reintroduce chemicals into the infill - after we have anaged to make it so safe and environmentally-friendly - in order to provide anti-microbial protection... and SportAide 1000® is EPA registered. The innovative FieldShield AMI™ process results is full-depth, near-permanent protection, of the coated infill materials, against all common bacteria, including staff; as well as protection against fungi and mold, which tends to be prevalent in the lower depths of the infill or on the backing of the turf, where sand is used in the infill mix. Until Organite, the only way to reduce elevated temperatures of artificial turf surfaces was to lighten the color of the exposed infill material (Organite is a very light brown) to reduce electromagnetic absorption and to elevate the moisture content of the infill matrix to provide evaporative cooling, for a short period of time. Because Organite is an AMI, retention of moisture is not a microbial problem as it is with sand, and because it naturally retains more moisture than synthetic rubber, evaporative cooling is generated to a much greater degree than with rubber. It is also important to note that retained moisture can also be used to extend evaporative cooling over a much longer period of time. FieldShield didn’t stop there, however. Organite also contains a naturally occurring inorganic constituent, which can absorb and retain up to 240% of its weight in moisture. Where elevated surface temperatures of the artificial turf are a concern, FieldShield can increase the content of this water-retaining inorganic component (Organite HR) to provide even more effective evaporative cooling over a longer duration. Any meaningful test of surface performance, with Organite as the infill, must be performed in the exact turf design and structure you are intending to use it in. Most performance results (wear; shoe traction; rotational resistance; abrasion; ball-roll) are much more a function of the yarn properties and the turf design particulars, such as: face weight, pile height, tuft density, infill depth, yarn relief, tuft gauge, etc.

In general, we can tell you that G-max results with a given depth of Organite will be slightly higher than rubber (10 to 15 points on typical ASTM F-355 test) and much lower than sand; understanding that the G-max results with sand are highly variable depending on moisture content and/or compaction. For projects where extremely low G-max results are required, FieldShield offers Organite G-Min, incorporating 20% EPDM (ethylene propylene diene monomer), which is an environmentally safe rubber that does not contain any chemicals known to be hazardous or a health risk in normal use. Now, that’s the whole story. Not just a safer alternative to rubber or sand, but an infill alternative with comprehensive anti-microbial protection over the life of your artificial turf, with the maximum available heat reduction capability!

The EcoSistemsm is an integrated group of environmentally-friendly and biologicallysafe products, for use in the construction and installation of artificial turf athletic fields, running tracks and playground areas. The key components of the system are: Organite: is an all-natural proprietary composite of organic and inorganic materials, which provides an environmentally-friendly, biologically-safe alternative to recycled-tire rubber and/or sand, as an infill in artificial turf. This infill alternative eliminates possible exposure to carcinogens; respiratory exposure to toxic or irritant particulate from rubber dust or silica-sand; ingestion of toxic chemicals by children; as well as run-off contamination of the aquifer by the infill materials. In addition, every granule of Organite is encapsulated with an effective, durable, non-chemical, EPA registered anti-microbial agent*, which protects against and prevents the growth of; bacteria, fungi and mold.

EcoGreen66: is a dimensionally stable Replicated Grass consisting of a multilayer, woven primary backing, with a unitary polyolefin hot-melt secondary backing, laminating a stabilizing tertiary backing, which is heat-activated to permanently lock fiber tufts in place. This results in a coated backing that is permeable, without perforations, allowing the tertiary backing to act as a particulate filtering membrane. Also, the backing contains NO urethane, rendering it CA Prop 65 compliant, and, therefore, does not require mandated warning signage. EcoGreen66 is tufted with a 100% polyethylene, monofilament yarn, containing virtually no heavy metals (see heavy metal statement) or ecologically harmful chemicals. EcoGreen66 is in-filled with Organite™

EcoTrax™: is an environmentally-friendly and ecologically-safe running track surface which contains no urethane and virtually no heavy metals (see heavy metal statement). It also provides effective run-off particulate filtration, when installed in accordance with the FieldShield design specifications. In addition, the EcoTrax™ filament running track surface is engineered to allow “tuning” of the surface response-time in order to customize surface performance to its primary intended use.

EcoFlo™: is a high compressive-strength, moisture conducting, nonabsorbent geo-composite drainage and shock attenuation blanket, made from recycled materials, for use with vertically-draining artificial turf systems. The use of EcoFlo greatly reduces risk factors associated with poor subsurface soils. Installation provides an uninterrupted vertical-tohorizontal flow path for superior rainfall evacuation and enhanced G-max and P-max performance without changing the ball-action or feel under-foot. LiquidLiner™: is an environmentally-friendly and safe polymer emulsion soilbonding agent which, when properly applied to the aggregate base of an artificial turf, creates a virtually impermeable moisture-barrier and an extremely stable working platform. The LiquidLiner soil treatment replaces synthetic geomembrane liners, thus eliminating concerns of punctures, wrinkling, and slip associated with geomembrane use under artificial turf.

EcoSeam™: Is an environmentally-friendly and ecologically-safe seaming system which utilizes ultrasonic technology to activate factory-applied thermoplastic adhesives, which are free of urethanes and any other toxic or harmful chemicals. As such, the system is compliant with CA Prop 65 and, therefore, does not require warning signage.

EcoPlay™: is a technologically advanced safety-surface system intended for use in playground and pool areas where head- impact and environmental-safety are of paramount concern. The system is designed to provide mandated HIC (Head Injury Criterion) characteristics, as required for up to an 8 ft. fall height. A unique layered design also provides for calculable drainage over any properly prepared existing substrate, with minimal excavation or

material import/export. The system surface features a non-abrasive, ADA compliant replicated grass, which encapsulates and separates users from infill materials; contains no urethanes or heavy metals; making it environmentally safe and recyclable. The system is in-filled with Organite™.

ECONomicDeZine™: Professional Engineering consulting and design, which provides knowledgeable guidance to affect integration of eco-friendly, safe artificial turf products and construction methodologies, with local storm-water management requirements at an economical, value-engineered cost. Artificial turf produces a higher temperature ambient above the playing surface due to absorption of solar energy (electromagnetic radiation). The reflectivity or albedo of an artificial turf system, including the infill, is generally lower than natural grass (darker colors absorb more electromagnetic radiation) due to the exposure of dark infill. Also, artificial turf and rubber infill do not naturally contain and hold moisture, to provide evaporative cooling, as natural grass and soils do. Given a specific material (in this case, PE fiber or recycled tire rubber), the darker the color of the material, the more electromagnetic radiation will be absorbed and subsequently reradiated to the ambient above the playing surface. Obviously, the darker the area of the playing surface; the more elevated are the temperatures to which the athletes are exposed during play. Also, because artificial turfs tend to 'lay-over' and expose more surface area directly to the sun's radiation, insolation (solar radiation energy received) can increase, dramatically. In hot, dry (less clouds/low humidity) climates, and especially in southern latitudes, the preponderance of exposed black (rubber) material is likely to create an unhealthy, excessively hot, playing condition (the 2002 "synthetic surface heat study" of C. Frank Williams and Gilbert Pulley, at Brigham Young University, recorded surface temperatures of 200 F, on a 98 degree day, on the previous iteration of this leading competitor's surface, with ambient temperatures above 150 degrees F). Not only is the air temperature above the surface excessive, but the surface temperature of the black rubber is actually dangerous to touch. This manufacturer's new monofilament surface exposes considerably more black rubber to the sun than their fibrillated surface studied in 2002, which would seem to render the new monofilament surface a considerable health and safety risk in the noted climates. Of course, since EcoGreen66™ boasts minimal exposed infill, it is the coolest in-filled artificial turf possible (for any chosen color of grass fiber) and the albedo of Organite is much higher because of its light tan color. Plus, Organite™ can contain and hold water to extend evaporative cooling. In addition, the superior memory of the 240 micron monofilament decreases insolation, by significantly reducing "lay-over".

Every artificial turf field will eventually require replacement in 10 to 20 years. Each one of these full-sized fields contains approximately 225,000 lbs of recycled-tire rubber; 25,000 lbs of synthetic grass filament fibers, which contain undetermined levels of heavy metals; and 15,000 lbs of urethane coating. In addition, a majority of the fields contain more than 500,000 lbs of sand containing silica, which may also contain fungi and mold and, unfortunately, cannot be separated from the rubber.

Many states define these products (or are likely to in the near future) as 'special waste' or as hazardous waste, which requires special handling. For example, Connecticut no longer permits the landfilling of waste tire rubber. Brad Park, of the Rutgers University School of Environmental and Biological Sciences, warns that "towns need to be aware that the fields are not permanent and disposing of them could potentially be a financial and environmental headache in the future".

However, the potential size of the financial part of this headache has not been emphasized. When a removed turf requires special handling and disposal sites, as almost all turf of conventional design will require, the cost, including OSHA and EPA compliant removal, transportation and special hazards disposal fees, will likely exceed six figures, in today's dollars. In many cases the disposal costs and fees, alone, will exceed that amount, by a significant margin.

This makes a consideration of the ecological effects, which affect the eventual disposal costs of all the components of a proposed artificial turf installation, an important determination of the financial viability of a project. Obviously, the recyclability and environmentally-friendly nature of the turf components must be factored into the total project cost, in order to avoid burdening the next generation of users with the failure to consider the cost or of ignoring the problem. Ignorance results when learning is ignored.

Environmentally-friendly, ecologically-safe, recyclable infill, filament yarn and coating materials are available now. These FieldShield products perform, in all respects, as well or better than the ecologically-challenged products traditionally considered -- and, if designed properly, their inclusion can be accomplished with no additional present cost. More importantly, their inclusion assures significant reduction in future cost, while eliminating environmental, ecological and health risks, entirely.

Proposition 65 (the CA Safe Drinking Water and Toxic Enforcement Act of 1986) is a "notice" law, which mandates warning signs or labels on any products sold in CA that contain chemicals annually listed by the State of California as causing cancer or reproductive harm.

This is a concern for purveyors and purchasers of artificial turf because neither can tolerate signs, prominently displayed on their new turf, which announce: "WARNING: This Area Contains Chemicals Known To The State of California To Cause Cancer And Birth Defects or Other Reproductive Harm". Unfortunately, most turf products contain chemicals on the List, such as silica (sand), urethane (coating), aromatic hydrocarbons (recycled-tire rubber) and toxic metals (grass filaments and infill). Compounding the problem, no "safe harbor levels" have been established for most of these chemicals, so proving that levels of exposure are safe may be difficult and costly in the extreme.

This places the turf purveyor and/or purchaser at great risk for significant fines and legal costs, since the enforcement mechanism is by litigation, which the law allows to be brought by "citizen enforcers", often referred to as "bounty hunters".

This chapter provides more information concerning Prop 65 - but keep in mind that FieldShield products and designs effectively circumvent the problem, by eliminating any of the listed chemicals.

FieldShield offers professional consulting and engineering services, which uniquely blend a significant knowledge of ecologically-safe products and procedures with an unparalleled familiarity of artificial turf and running track designs and construction. We then apply this knowledge and experience to help develop the most cost-efficient construction specifications.

It is our ability to minimize short and long-term project costs, while still meeting extremely high standards of environmental, safety and athletic performance requirements that is unusual. When it comes to marketing claims made by purveyors of artificial turf or track surfacing products, we can cut through the fog and definitively separate the wheat from the synthetic chaff. More importantly, we provide clear, science-based reasoning for our recommendations.

Our CEO, Philip Christiansen is a, registered professional engineer with 40 years of engineering experience and holds an MS in Environmental Engineering. He integrates unusual understanding of storm-water management and soil-mechanics with synthetic surface considerations; and was also first to recognize the failure of the synthetic turf industry to set proper drainage criteria in artificial turf design specifications or to deal in a cost-efficient manner with water management issues. He is complimented by staff with unequalled experience in the design, manufacture and marketing of artificial turf and running track surfaces. Some of his FieldShield colleagues founded a number of currently viable turf companies and are responsible for significant developments in artificial turf design, including "sandless" infilled turf and "vertical-to-horizontal" drainage.

The extraordinary breadth and depth of our combined experience and knowledge allows FieldShield to offer valuable enlightenment to a prospective purchaser of a synthetic grass or running track, in whatever degree they wish - from limited consultancy support of the purchaser (or their professional representative) - to comprehensive, licensed construction specifications and project management.

Any synthetic turf project begins with proper evaluation - and any viable comparison, of artificial turf products or concepts must be rooted in recognized material science and commonly accepted engineering principles - not in unsupported marketing claims, fantasy physics, layman endorsements or pretty pictures. Unfortunately, if not filtered by the kind of inside knowledge FieldShield offers, a studied scientific approach is usually overwhelmed by marketing and sales, when it comes to the emotion-fueled decisions affecting the typical athletic venue.

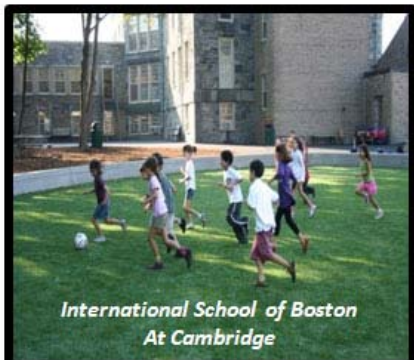
FieldShield can offer professional engineering consulting directly to the purchaser or to the purchaser's professional design team, in order to facilitate the incorporation of appropriate products or eco-friendly construction concepts in the most economical manner. We call this service ECONomicDeZine.

If you are too early in the process or simply have a fear of commitment - FieldShield offers Conference Call Consultancy (CCC) to help get you started and pointed in the right direction, within your budget limits.



*Synthetic Turf Systems
Proven 100% Safe for Children and the Environment.*

Welcome To GeoSafePlay...It's Organic!



International School of Boston
At Cambridge



FIFA 2 STAR AWARD
Teramo, Italy

SAFE Geo PLAY

Let's give our children a level playing field...

Featured in:

SportsTurf Insider

LandscapeOnline.com

Premier Portal to Landscape Development Industry

ehp ENVIRONMENTAL HEALTH PERSPECTIVES

HEALTHY CHILD HEALTHY WORLD

MEMBER
STC
Synthetic Turf Council



Max S



Diamond



American Football-Vienna, Austria





Let's give our children a level playing field...

WHY GEO? TURF INFILL PRO INSTALLATIONS TECHNICAL DATA GALLERY

Proven 100% Safe
for Children and
the Environment.



Introducing Geo Safe Play

Geo Safe Play is the "natural" solution for synthetic turf infill. The combination of natural plant fibers and cork assures the highest level of sports performance.

A soccer field, infilled with Geo Safe Play is similar to the highest quality natural grass fields, and it guarantees the possibility to use the field intensively, even under bad weather conditions.

Geo Safe Play by Limonta Sport in Italy is the proven and patented solution for infilling synthetic turf with materials that are 100% environmentally safe.

The Product is produced with carefully selected, specially-treated organic and blended fibers, and retains moisture for perfect drainage and low temperatures compatible with natural soil.



100%
Environmentally
Friendly &
Non-Toxic



Does Not
Release
Unpleasant
Odors



Drains
Perfectly



Eliminates the
Risk of Abrasion
for Players



Resistant to
Wear, Aging,
and UV
Radiation



Homologated
by LND



Maintains a
Constant Degree
All Year Long



Does Not Rot
and Does Not
Allow Mold
Growth



Assures a Perfect
Foot Stability
Under All Playing
Actions



Proven 100% Safe
for Children and
the Environment.



Why Geo Safe Play?

Organic and Non-Toxic

Geo Safe Play is now the only solution for infilling synthetic turf with materials that are 100% environmentally friendly.

*"In comparison with the crumb rubber infill samples we have tested The Eco Safe Play product was primarily different in that it contained **no detectable levels of PAHs** (polycyclic aromatic hydrocarbons). The crumb rubber samples we have tested typically contain multiple PAHs, with Pyrene being the highest concentration, at 15,000-20,000 ug/kg (ppb). **The only organic compounds we observed in the Geo Safe Play sample were several natural plant extracts.**"*

- Bruce Hoogesteger, Technical Director, Paradigm Environmental Services, Inc.

Less Abrasive

"50%...

reduction in the number of students that now visit the nurse's office on a daily basis due to abrasion and cuts on the **new playground. That's a lot less bumps and bruises!"**

John F. Larner, D.A., Head of School/Chef d'établissement, Ecole Internationale de Boston/ International School of Boston

Lead Free

refer to our "[Technical Data Page](#)" for details

Cooler

designed to retain moisture not "**Heat**", similar to soil

Proven

developed and patented by [Limonta Sport](#) in Italy and tested for almost a decade.

ALL OF OUR INFILL AND TURF PRODUCTS ARE GUARANTEED FOR 8 YEARS

Used by many professional soccer clubs and schools around the world.

[View Installations](#)

We have also qualified for [FIFA 2 STAR](#) rating on multiple installations.

Inquire about our independent **Biomechanical** testing.



FIFA 2 STAR AWARD- BORAS ARENA, SWEDEN

SAFE *Geo* PLAY



Let's give our children a level playing field...

[WHY GEO?](#)
[TURF](#)
[INFILL PRO](#)
[INSTALLATIONS](#)
[TECHNICAL DATA](#)
[GALLERY](#)


SOCCERPRO MF DIAMOND

NEW GENERATION OF 100% POLYETHYLENE EXTRUDED MONOFILAMENT YARN

SoccerPro Diamond is the third generation synthetic turf for soccer, football, lacrosse, and baseball fields which guarantees a playing performance comparable with that of the best natural turf fields, especially when used with our organic *InfillPro Geo*, regardless of season or climate.

Its secret lies in its fibers, which are lead free, abrasion-free, uv-ray resistant, and have a 50 to 60 mm pile height.

The product combines yarns of two different green colors for an appearance similar to natural grass fields. The original "Diamond" Shape and the 220 Micron thickness of the yarn upgrades all its characteristics.

This system puts *SoccerPro* at the top of the league.



SOCCERPRO MAX S

A STEP INTO THE FUTURE

SoccerPro Max S is the absolute state-of-the-art synthesis of our customers' preferences and the technology and design achievements of our research and development team.

The *Max S* system is designed to meet the most stringent performance requirements. Optimized grass blade field coverage and highly resilient fibers allow for excellent ball results and foot traction over time.

This unique product is constructed using a double s-shape with a reinforced central core, simulating the structure of natural grass plants. The core is what's at the heart of its performance.

SAFE *Geo* PLAY

Let's give our children a level playing field...



WHY GEO?

TURF

INFILL PRO

INSTALLATIONS

TECHNICAL DATA

GALLERY

Proven 100% Safe
for Children and
the Environment.



Products



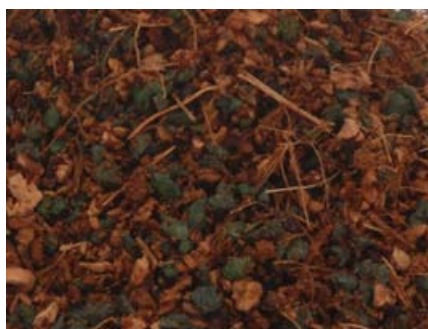
A soccer field infilled with InfillPro Geo is similar to the highest quality natural grass fields and it guarantees the possibility to use the field intensively, even under bad weather conditions.

InfillPro Geo by Limonta Sport, Italy remains only solution for infilling synthetic turf with materials that are 100% environmentally-friendly and atoxic. InfillPro Geo is produced with carefully selected, specially-treated organic and blended fibers.

Some of the main advantages are:

- Elimination of unpleasant odors typical of traditional rubber granules infills;
- Maintenance of a constant degree of humidity that prevents the playing surface from overheating.
- Identical in appearance to the highest quality natural grass fields.
- Perfect foot stability, even under extreme playing actions:
- Total compatibility with synthetic fibers.

[>>DOWNLOAD BROCHURE](#)



INFILLPROTP

InfillPro TP granules are made from special thermoplastic elastomers and produced by the extrusion of virgin raw materials. The composition of the materials and the special "patented" shape were specifically studied to guarantee elevated shock absorption and minor vertical deformities.

In addition, the special shape provides the system with elevated stability, resolving the typical problems associated with sliding spherical granules.

InfillPro TP granules are obtained from virgin raw materials selected for this scope, and are therefore free of all products that may cause environmental risks.

InfillPro TP is non-toxic

[>>DOWNLOAD BROCHURE](#)



#7-09





International School of Boston

FOR IMMEDIATE RELEASE

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CAMBRIDGE SCHOOL FIRST IN NATION TO INSTALL “GREEN” SYNTHETIC TURF *Natural Infill Product Provides Benefits of Synthetic Turf without Heat, Health Risks, and Runoff*

Cambridge (October 3, 2008) – While synthetic turf has become popular as a low-maintenance recreational surface across the U.S., its rubber infill is increasingly seen as a health hazard because of the high temperatures that it generates and the potentially hazardous materials it contains, including lead and other carcinogens. The International School of Boston (www.isbos.org) is the first site in the United States to feature synthetic turf with an all-natural infill material, and school officials believe their new field will be a model for schools, sports leagues, and public recreation departments across the country.

The new surface, supplied by New York-based Geo Safe Play (www.geosafeplay.com) and developed in Italy where it is used on professional soccer fields, produces far less rainwater runoff because it is natural and absorbs water. Because it contains no rubber, surface temperatures approximate those of grass and produce far fewer injuries.

The infill, which goes underneath and inside the blades of synthetic grass, is derived from coconut fiber and cork.

“The International School of Boston, in designing its new play area, made it clear they did not want to settle for a typical surface,” said Jonathan Austin, Principal of Austin Architects, which developed the school’s master plan and designed the new play area in collaboration with Ray Dunetz Landscape Architecture. “The parents, board, and administration, through its Green Committee,

pushed to find a natural infill material that would provide improved safety, including reduced incidence of burns, heat exhaustion, and injuries, and would comply with an environmental resolution passed by the school's board. We quickly concluded there was nothing currently being used in the U.S. that would meet that mandate."

Austin's team identified the new product and then conducted a rigorous review with the school's Green Committee to ensure the product was the right fit for the school's needs.

"When it comes to designing and constructing new spaces for our school, or for that matter any project, doing it the 'easy way' is seldom the same as doing it the 'right way,'" said John Larner, Head of School. "Concerned parents working through our committee structure said, 'we want our kids to have the best field possible, with the fewest injuries, and the project must be environmentally sustainable.'"

"We are proud to be able to introduce these advanced systems, developed and manufactured by Limonta Sport and used in Italy for almost a decade, to the American market," said Domenic Carapella, Managing Director for Geo Safe Play, the exclusive North American distributor of the natural infill material. "This is a natural looking, lead-free synthetic turf that looks and feels great in the summer and winter, under snow or shade, with a totally natural infill material that retains humidity, contains no harmful metals or chemicals and adds no heat to the system. This is a win-win for our children and for the synthetic turf industry."

While the natural infill product costs approximately 10 percent more than a field made with rubber infill, the school sees the safe and "green" field as a major selling point for prospective students and their parents.

"Parents and students want exceptional academics, but they also want the best – and in this case, the safest – facilities for their children," added Larner. "We have transformed a dirt field that was never capable of growing grass into a lush play area for students of all ages. Our community is incredibly impressed"

In addition to Austin Architects and Ray Dunetz Landscape Architecture, which are both members of the United States Green Building Council, the project team includes landscape construction firm Emanouil Brothers, Inc. and civil engineers Samiotes Consultants, Inc.

###

**Boston Public Health Commission Regulation
Restricting the Sale of Tobacco Products in the City of Boston**

Whereas, tobacco is one of the leading causes of death in the United States and lung cancer, which has a correlation to smoking, has been the leading cause of cancer death among Boston residents;

Whereas, tobacco is currently sold in health care institutions such as pharmacies and drug stores;

Whereas, the sale of tobacco products is incompatible with the mission of health care institutions because it is detrimental to the public health and undermines efforts to educate patients on the safe and effective use of medication;

Whereas, educational institutions in the City of Boston also sell tobacco products to the younger population, which is particularly at risk for becoming smokers;

Whereas, the sale of tobacco products is also incompatible with the mission of educational institutions which educate the younger population about social, environmental and health risks and harms;

Whereas, there are certain tobacco products such as blunt wraps that are frequently marketed and sold to the youth and are also known to be used as drug paraphernalia;

Therefore, the Boston Public Health Commission in recognition of the harmful effects of tobacco on vulnerable populations, believes that it is important that the sale of tobacco products be banned by educational and health care institutions in the City of Boston and that blunt wraps also be banned in furtherance of its mission to protect, promote and preserve the health and well-being of Boston citizens.

Section I: Definitions

Blunt wrap: cigarette-like rolling paper that is thick and dark and usually made from tobacco leaves. Blunt wraps come in flavored varieties and are heavily marketed to the youth and often used as drug paraphernalia.

Health care institution: An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Health under M.G.L. c. 112. Health care institution includes hospitals, clinics, health centers, pharmacies, drug stores and doctors' and dentists' offices.

Entity: any single individual, group of individuals, corporation, partnership, institution, employer, association, firm or any other legal entity whether public or private.

Educational institution: any public or private college, normal school, professional school, scientific or technical institution, university or other institution furnishing a program of higher education.

Retail establishment: any store that sells goods or articles of personal services to the public.

Tobacco products: any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe, tobacco, snuff, chewing tobacco and dipping tobacco.

Section II: Prohibition Against the Sale of Tobacco Products by Health Care Institutions

No health care institution located in the City of Boston shall sell or cause to be sold tobacco products. Additionally, no retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products.

Section III: Prohibition Against the Sale of Tobacco Products by Educational Institutions

No educational institution located in the City of Boston shall sell or cause to be sold tobacco products. This includes all educational institutions as well as any retail establishments that operate on the property of an educational institution.

Section IV: Prohibition Against the Sale of Blunt Wraps by All Entities

No retail establishment or entity in the City of Boston shall sell or cause to be sold blunt wraps.

Section V: Violations

1. A violator of this Regulation may receive:
 - a. In the case of a first violation a fine of two hundred dollars (\$200.00);
 - b. In the case of a second violation within 24 months of the first violation a fine of seven hundred dollars (\$700.00); and,
 - c. In the case of a three or more violations within 24 months of the second or current violation, a fine of one thousand dollars (\$1000.00) for each violation.
2. Each calendar day an entity operates in violation of any provision of this regulation shall be deemed a separate violation.

3. No provision, clause or sentence of this section of this regulation shall be interpreted as prohibiting the Boston Public Health Commission or a City of Boston department or agency from suspending, or revoking any license or permit issued by and within the jurisdiction of such departments or agency for repeated violations of this regulation.

Section VI: Enforcement

1. Authority to enforce this regulation shall be held by the Boston Public Health Commission, its subsidiary programs or designees; the City of Boston Inspectional Services Department and the City of Boston Police Department.
2. Any violation of this regulation may be enforced in the manner provided in M.G.L. c.111 §187, by the Boston Public Health Commission, its subsidiary programs or designees.
3. Any person may register a complaint under this Regulation to initiate an investigation and enforcement with the Boston Public Health Commission, its subsidiary programs or designees.
4. Any fines or fees collected under this regulation shall be used for the enforcement of these regulations and/or for educational programs on the harmful effects of tobacco.

Section VII: Non-retaliation

No person or employer shall discharge, refuse to hire, refuse to serve or in any manner retaliate or take any adverse personnel action against any employee, applicant, customer or person because such employee, applicant, customer or person takes any action in furtherance of the enforcement of this regulation or exercises any right conferred by this regulation.

Section VIII: Non-preemption

Nothing in this Regulation shall be deemed to preempt the further limitation of the sale of tobacco products in the City of Boston by any local regulatory body within the limits of its authority and jurisdiction.

Section IX: Severability

If any provision, clause, sentence, paragraph or word of this regulation or the application thereof to any person, entity or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this article which can be

given effect without the invalid provisions or application and to this end the provisions of this regulation are declared severable.

Section X: Effective Date

This Regulation shall take effect within 60 days from the date of acceptance by the Board of the Boston Public Health Commission.

Authority: M.G.L. c. 111, §31; M.G.L. c. 111, App. §§2-6(b), 2-7(a)(1), and 2-7(a)(15).

David A. Olson

Date sent: Thu, 16 Jul 2009 10:15:44 -0400 (EDT)
Subject: [Fwd: Re: Banning tobacco sales in pharmacies]
From: "Ted Hess-Mahan" <thessmahan@newtonma.gov>
To: jfreedman@newtonma.gov,
Send reply to: thessmahan@newtonma.gov

FYI

----- Original Message -----
Subject: Re: Banning tobacco sales in pharmacies From: "Terry Donahue" <tadhfd@comcast.net>
Date: Thu, July 16, 2009 9:50 am To: "D.J. Wilson" <djwilson@mma.org>
Cc: thessmahan@newtonma.gov

Thanks, DJ.Â Â Â Alderman Hess-Mahan,Â I would be happy to meet with you, DJÂ and David to discuss next steps.Â Thanks, Terry

----- Original Message -----
From: "D.J. Wilson" <djwilson@mma.org>
To: thessmahan@newtonma.gov
Cc: "Terry Donohue Donohue" <tadhfd@comcast.net>
Sent: Thursday, July 16, 2009 9:43:05 AM GMT -05:00 US/Canada Eastern
Subject: Banning tobacco sales in pharmacies

Alderman Hess-Mahan:

My name is DJ Wilson and I am the tobacco control director for the Mass.

Municipal Association.Â Russet Breslau forwarded me your email and I'd be

happy to help you with any effort to ban tobacco sales in pharmacies or

"health care institutions" as they are defined in the Boston, Uxbridge and

Needham regulations.

Your current tobacco control measures - second-hand smoke and youth access

- have been promulgated as city ordinances.Â The easiest direction to

take would be to amend your ordinance by adding Boston's definition for

"health care institutions" and a new section that bans the sale of tobacco

in those establishments.Â Â Here is the Boston definition::

Health care institution: An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Public Health

under M.G.L. c. 112. Health care institution includes hospitals, clinics, health centers, pharmacies, drug stores and doctorsâ€™TM and dentistsâ€™TM

offices.

Two notes on amending the city's ordinance:

1 - Newton currently belongs to a five-municipality tobacco control program directed by Terry Donohue.Â However, due to budget cuts, her

program will end around September.Â I have "cc'd" her on this email.Â

She has worked closely for several years with David Naparstek.

2 - Newton was an earlier adopter of tobacco control policy and the ordinance has been amended several times, making it really complex to read, in part because there is a lot of older language that is now covered by the state's smoke-free workplace law.Â If you are interested in an ordinance overhaul, which would simplify the current ordinance a lot, I'd be ehappy to help with that.

Please contact me if you want to move forward.Â I'd also be happy to meet with you if you prefer.

D.J. Wilson
Tobacco Control Director
Public Health Liaison
Mass. Municipal Assoc.
One Winthrop Square
Boston, MA 02110

617-426-7272 x152
617-695-1314 fax
www.mma.org

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transmission. Thank you. Â Please consider the environment before

printing this e-mail

Sincerely,

Ted Hess-Mahan
Alderman-at-Large Ward 3
871 Watertown Street
West Newton, MA 02465
617-795-7220
thessmahan@newtonma.gov
www.tedhess-mahan.org

When responding, please be advised that the Secretary of the Commonwealth has determined that email may be considered a public record.

Needham bans cigarette sales in pharmacies

By Steven Ryan

Wicked Local Needham

Posted Jul 14, 2009 @ 11:33 AM

Last update Jul 14, 2009 @ 03:04 PM

Needham — Needham pharmacies will soon not be able to sell cigarettes after the Board of Health voted July 14 to approve the ban.

The Board of Health voted 2-0 in favor of the ban, with one member absent. The ban will go into effect on Oct. 1. This comes five months after Boston banned cigarettes from pharmacies. The new regulations also include language preventing the sale of noncigarette tobacco products, including "blunt wraps," to minors.

The ban affects three of the four pharmacies in town: the two CVS pharmacies, with one in Needham Heights and another in the downtown; and Walgreens, across from Town Hall. The Bird's Hill Pharmacy on Great Plain Avenue hasn't sold cigarettes in years.

Part of the rationale for the ban is a push by some pharmacies to have in-store clinics where customers can consult with a nurse practitioner for a simple diagnosis, said Board of Health Chairman Stephen Epstein. The Walgreens in Needham, which remains open while it is under renovation, is the sole Needham pharmacy that currently plans to provide the service.

"We found cigarette sales to be inconsistent with the mission of promoting health," Epstein said. "At the same time, Boston proposed its regulations. We realized pharmacies are health-care institutions."

The technical language in the ban states, "No health-care facility, per our regulations, located in the Town of Needham shall sell or cause to be sold tobacco products." In addition, it specifically singles out pharmacies in saying, "Additionally, no retail establishment that operates or has a health-care facility within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products."

Epstein said other options to a ban were explored, including separate entrances to the clinic and the retail part of the facility.

"It was clear the pharmacies didn't want that," Epstein said. "We didn't think it would be a good solution for the town and the public health of the town."

The manager of the Needham Walgreens, Heather Roman, attended the June 14 Board of Health meeting. She asked the Board of Health to wait until October before instituting the ban so the pharmacy and its customers can adjust.

"I think it will be a shock for our customers not to see cigarettes because cigarettes have been there for so long," Roman said.

Bill Besozzi, the manager of the CVS in Needham Heights, admitted the ban will likely affect business.

"It does affect business at a point beyond tobacco sales," Besozzi said. "People come in for tobacco and buy other products ... We know it is the right thing to do, but it does have a detrimental effect on business."

Besozzi cited anecdotal evidence from the company's experience with the ban in Boston. He said his cigarette-smoking customers might migrate to the 7-Eleven across the street on Highland Avenue.

The new regulations also include language specifically regulating the sale of tobacco products aside from cigarettes to minors. This includes "blunt wraps." These wraps, which are designed to hold loose tobacco, are often made with tobacco and may be appealing to children, Epstein said.

"Some are flavored, colorful and are essentially aimed at kids," Epstein said. "It's something we wanted the new regulations to include."

The Needham Health Department plans to work with schools to educate children about those products. The new blunt wrap regulation in Needham only bans the sale to minors under 21, unlike Boston, which recently banned the sale of blunt wraps altogether.

With the ban on cigarettes in pharmacies, the number of establishments selling cigarettes in Needham would be reduced from 14 to 11. Epstein feels other communities might follow suite and the state Public Health Committee listened to testimony supporting such a ban on the state level last month.

"We're a little ahead of the curve on where the country is moving and the state is moving," Epstein said.

Chapter 20

OFFENSES AND MISCELLANEOUS PROVISIONS*

- Art. I. Smoking, Tobacco Products and Alcoholic Beverages, §§ 20-1—20-12
 Art. II. Noise, §§ 20-13—20-19
 Art. III. Civil Fines/Non-criminal Disposition, §§ 20-20—20-22
 Art. IV. Light Trespass, §§ 20-31—23-30
 Art. V. Tree Preservation, §§ 20-31—20-39
 Art. VI. Fences, §§ 20-40—20-49
 Art. VII. Miscellaneous, §§ 20-50—20-63

ARTICLE I. SMOKING, TOBACCO PRODUCTS AND ALCOHOLIC BEVERAGES**Sec. 20-1. Distribution of Tobacco Products.**

No person in the business of selling or otherwise distributing cigarettes or other tobacco or smoking products for commercial purposes, or any agent or employee of any such person, shall in the course of such business distribute any cigarettes or other tobacco or smoking products free to any person on any public street or sidewalk, or in any public park or playground, or any other public ground, or in any public building.

Any person who violates the provisions of this section shall be punished by a fine of not less than twenty (\$20.00) nor more than fifty (\$50.00) dollars for each violation. Every hour or part thereof in which a person engages in the conduct prohibited by this section shall constitute a single and separate violation. (Ord. No. R-224, 3-1-82; Rev. Ords. 1995, § 20-18; Ord. No. X-59, 10-7-03)

Sec. 20-2. Sale of tobacco products.

(a) *Declaration of findings and policy:* Whereas there exists conclusive evidence that tobacco smoke causes cancer, respiratory and cardiac diseases, negative birth outcomes, irritations to the eyes, nose, and throat; and, whereas at least one-half of all smokers begin smoking before the age of eighteen (18); and, whereas an estimated three thousand (3,000) minors begin smoking every day in the United States; and, whereas nicotine in tobacco has been found by the Surgeon General to be a powerfully addictive drug; and, whereas despite state laws prohibiting the sale of tobacco products to minors, access by minors to tobacco products is a major problem; and, whereas a city ordinance requiring proof of age in order to purchase tobacco products is necessary in order to restrict the access of minors to tobacco products in the interest of public health; now, therefore, it is the policy of the City of Newton to discourage minors from experimenting with tobacco and to make tobacco products less accessible to minors.

(b) *Definitions:* For the purposes of this section, the following words shall have the meanings respectively ascribed to them by this section:

City: City of Newton.

*Cross reference—General penalty for code violations, § 1-6; police, Ch. 24

Commissioner: The commissioner of health and human services of the City of Newton.

Self service display: Any display of tobacco products which is so located such that said products are accessible to customers without assistance from an employee or store personnel.

Minor: Any individual who is under the age of eighteen (18).

Person: A person, employer, employee, retail store manager or owner, or the owner or operator of any establishment engaged in the sale of tobacco products.

Vending machine: Any automated or mechanical self-service device which, upon insertion of money, tokens or any other form of payment, dispenses cigarettes or any other tobacco product.

Tobacco products: Cigarettes, cigars, chewing tobacco, pipe tobacco, snuff or tobacco in any of its forms.

(c) *Sales to minors prohibited:*

- (1) No person shall sell tobacco products or permit the same to be sold to a minor.
- (2) *Notice of prohibition:* In conformance with and in addition to Massachusetts General Law, Chapter 270, Section 7, a copy of Massachusetts General Laws, Chapter 270, Section 6, shall be posted conspicuously by the owner or other person in charge thereof in the shop or other place used to sell tobacco products at retail. The notice shall be provided by the Massachusetts Department of Public Health and made available from the Commissioner. The notice shall be at least forty-eight (48) square inches and shall be posted conspicuously by the permit holder in the retail establishment or other place in such a manner so that it may be readily seen by a person standing at or approaching the cash register. The notice shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than four (4) feet or greater than nine (9) feet from the floor.
- (3) *Identification:* A person selling tobacco products shall request and examine identification from any purchaser suspected of being a minor, and shall positively establish the purchaser's age as eighteen (18) years or older before allowing the purchase.

The following shall constitute positive identification: a valid Massachusetts driver's license; or a certified birth certificate along with a picture identification card, or two other similar forms of identification, one of which shall be a picture identification card.

(d) *Tobacco sales permit:*

- (1) No person shall sell or otherwise distribute tobacco within the city without first obtaining a tobacco sales permit issued by the commissioner. The sale or free distribution of individual or loose cigarettes is prohibited.
- (2) An application for a tobacco sales permit shall be filed by each person required to comply with this section no later than sixty (60) days following the effective date of this section.
- (3) The fee for an initial tobacco sales permit shall be determined by the commissioner based on the cost of administering the permit process. All such permits shall be renewed annually no later than June 1. The annual renewal fee shall be in an amount determined by the commissioner based upon the actual cost of administering the permit renewal process.
- (4) Each tobacco sales permit shall be displayed on the premises in a conspicuous place.

(e) No person in the business of selling or otherwise distributing cigarettes or other tobacco or smoking products for commercial purposes, or any agent or employee of such person, shall distribute a cigarette or other tobacco or smoking product free to any person. Furthermore, no person shall sell or otherwise distribute a cigarette or other tobacco smoking product to a minor.

(f) *Tobacco products vending machines:*

No person shall distribute or sell tobacco products by the use of a vending machine.

(g) *Self service displays:*

No person shall sell or offer for sale tobacco products by means of a self service display.

(h) *Violations and penalties:*

- (1) A person who violates the provisions of subsection (d)(1) of this section shall be subject to a fine of one hundred dollars (\$100.00) for each violation. Every hour or part thereof in which a person engages in conduct prohibited by subsection (d)(1) of this section shall constitute a single and separate violation.
- (2) A violation of any provision of this section other than subsection (d)(1) shall be subject to a fine of seventy-five dollars (\$75) for the first offense, one hundred and fifty dollars (\$150) for the second offense and three hundred dollars (\$300) for the third and each subsequent offense. The tobacco permit holder shall be assessed a fine according to the schedule stated in this subsection for each violation of any provision of this section, other than subsection (d)(1), occurring on the premises governed by the permit. In the event of a sale or free distribution of a tobacco product to a minor made by an employee of the permit holder, such employee shall also be subject to fine in accordance with the schedule stated in this paragraph. In addition, three (3) violations of this section within three (3) years, calculated from the date of the first offense, by the same permit holder shall be cause for revocation or suspension of the tobacco sales permit, pursuant to subsection (h)(3) of this section.
- (3) The commissioner shall suspend or revoke a tobacco sales permit granted pursuant to this section upon determination that a permit holder has committed three (3) violations of this section within three (3) years, calculated from the date of the first offense. The commissioner shall provide notice to the permit holder of the intent to suspend or revoke a tobacco sales permit, which notice shall contain the reasons therefor and establish a time and date for a hearing, which date shall be no earlier than seven (7) days after the date of said notice. The permit holder shall have an opportunity to be heard at such hearing and shall be notified of the commissioner's decision, and the reasons therefor, in writing. All tobacco products shall be removed from the premises upon suspension or revocation of the tobacco sales permit. Failure to remove shall constitute a separate violation of this section. A permit holder whose permit has been revoked may not apply for a new permit prior to the expiration of one (1) calendar year following the date of revocation.

(i) *Severability:* The provisions of this section are severable. If any provision of this section or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application. (Ord. No. T-241, 10-21-91; Ord. No. T-293, 8-9-93; Ord. No. T-295, 9-7-93; Rev. Ords. 1995, § 20-20-18A; Ord. No. X-59, 10-7-03; Ord. No. X-175, 05-26-05)

Sec. 20-3 – 20-4. Reserved.

Sec. 20-5. Public consumption of alcoholic beverages.

- (a) No person shall drink, consume or possess an open bottle, can, or container of any intoxicating liquor or

alcoholic beverage as defined in General Laws, chapter 138, section 1, while in or upon public parks, playgrounds, recreation or conservation areas, public buildings, public parking lots and public ways, private parking lots and private ways to which the public has access.

(b) The prohibition of subsection (a) of this section shall apply in, on or outside of an automobile or other motor vehicle but shall not apply in or upon:

- (1) any private parking lot and private way to which the public has access where prior consent has been obtained from the owner or authorized person in control thereof, and provided further that no disturbance or annoyance is created thereby;
- (2) any public property specified in subsection (a) where prior express consent by way of a permit has been issued from the chief of police or his duly authorized agent in accordance with the provisions of section 17-5 of the Revised Ordinances; and provided further that no disturbance or annoyance is created thereby.

(c) Whoever remains in, on, or upon any premises described herein in willful violation of this section may be arrested without a warrant, in accordance with chapter 272, section 59 of the General Laws by an officer authorized to serve criminal process in the place where the offense is committed, if such person is unknown to such officer.

(d) All alcoholic beverages or intoxicating liquors being used in violation of this section shall be seized and safely stored until final adjudication of the charge against the person or persons affected, at which time they shall be returned to the person or persons entitled to lawful possession unless, as a result of said adjudication, such alcoholic beverages or intoxicating liquors are ordered confiscated or seized to be disposed of according to the General Laws or as the court directs.

(e) Anyone found guilty of a violation of this section shall be punished by a fine of not more than fifty dollars (\$50.00) for each such violation. (Rev. Ords. 1973, § 14-17; Ord. No. 13, 9-3-74; Rev. Ords. 1995, § 20-17)

Cross reference—Permits for the public consumption of alcoholic beverages, § 17-5

Sec. 20-6. Prohibition of alcoholic beverage and tobacco product advertising or promotion in or on city buildings, facilities, land, and in or on public transportation vehicles.

(a) *Definitions*: For the purposes of this section, the following words shall have the meanings respectively ascribed to them by this paragraph:

Alcoholic beverage advertisement: Any written word, picture, logo, symbol, motto, selling message, poster, placard, sign, photograph, device, graphic display or visual image of any kind, recognizable color or pattern of colors, or any other indicia of product identification identical or similar to, or identifiable with, those used for any brand of alcoholic beverage, a trademark of an alcoholic beverage or a trade name associated exclusively with an alcoholic beverage; or any sign which is used for the purpose or effect of promoting the use or sale of an alcoholic beverage through such means as, but not limited to, the identification of a brand of an alcoholic beverage, a trademark of an alcoholic beverage or a trade name associated exclusively with an alcoholic beverage.

Person: Any natural person, firm, partnership, association, corporation, limited liability corporation, company or organization of any kind, or other legal entity.

Public place: Any building, facility or other structure owned or operated by the city including school buildings and grounds or any land or property owned or operated by the city.

Public transportation vehicle: Buses, taxis, and other means of transportation the operation of which is subject to licensing or other grant of permission by the city pursuant to these revised ordinances or the general laws, including bus shelters and indoor platforms by which such means of transportation may be accessed.

Sign: A permanent or temporary structure, device, letter, word, two (2) or three (3) dimensional model, insignia, banner, streamer, display, emblem, or representation which is designed to attract attention.

Tobacco product: A cigarette, cigar, chewing tobacco, pipe tobacco, snuff or tobacco in any of its forms.

Tobacco product advertisement: Any written word, picture, logo, symbol, motto, selling message, poster, placard, sign, photograph, device, graphic display or visual image of any kind, recognizable color or pattern of colors, or any other indicia of product identification identical or similar to, or identifiable with, those used for any brand of tobacco product, a trademark of a tobacco product or a trade name associated exclusively with a tobacco product; or any sign which is used for the purpose or effect of promoting the use or sale of a tobacco product through such means as, but not limited to, the identification of a brand of a tobacco product, a trademark of a tobacco product or a trade name associated exclusively with a tobacco product.

(b) Alcohol and tobacco products, advertising and promotion prohibited: No person shall place, caused to be placed, maintain or cause to be maintained a sign containing an alcoholic beverage advertisement or a sign containing a tobacco product advertisement in or on a public place or in or on a public transportation vehicle. This section is in addition to and not in substitution for the provisions of chapter 30 of these revised ordinances.

(c) Removal:

- (1) The city department or agency having control over a public place where a sign is posted in violation of subsection (b) is hereby authorized to remove such sign, provided that the city department or agency shall, as soon as reasonably possible, provide notice of such removal to the owner of the sign, if the name and address of the owner is readily ascertainable from the sign or if the city department or agency has received notice as to the name and address of the owner of the sign.
- (2) A sign so removed shall be stored for up to thirty (30) days during which time the sign owner or someone designated by the sign owner may reclaim the sign. If a sign removed pursuant to subsection (c)(1) is not reclaimed within thirty (30) days of removal, then the sign shall be declared to be unclaimed surplus property in the possession of the city department or agency which removed such sign and such sign shall be disposed of by the purchasing agent of the city pursuant to section 2-186(b)(7) of these revised ordinances.
- (3) In the case of a public transportation vehicle, the owner or operator of such vehicle shall remove a sign found to be in violation of subsection (b) within 24 hours of a request by the city to remove such sign. Failure to remove a sign within such timeframe shall be cause for revocation of any license or permission granted by the city in connection with the operation of such public transportation vehicle.

(d) Nuisance, abatement: A sign posted in violation of subsection (b) shall constitute a public nuisance and the city shall have the authority to abate such nuisance pursuant to the provisions of subsection (c) above. (Rev. Ords. 1995, Ord. V-184, 6-29-98)

Editor's note—Ordinance V-184 contained a detailed Declaration of legislative findings and intent, which is on file in the records of the Board of Aldermen.

Sec. 20-7: Smoking prohibited – Sidewalks and Other Public Property

(a) No person shall smoke, possess or carry a lighted or smoldering cigarette, cigar, or pipe of any kind or any other smoking article at the following locations:

- (1) Upon the sidewalk at:

NEWTON CODE ONLINE – OFFENSES AND MISCELLANEOUS PROVISIONS § 20-13.

Albemarle Road, East side of easterly roadway from its intersection with Watertown Street northerly 299 feet.

Edinboro Street, West side from its intersection with Watertown Street northerly 257 feet.

Watertown Street, North side from its intersection with Albemarle Road (easterly roadway) easterly to its intersection with Edinboro Street;

- (2) Upon the sidewalk or other public property within a nine hundred (900) foot perimeter of the property line of Newton North High School grounds.

(b) The Commissioner of Public Works shall erect and maintain signs indicating the locations designated for the smoking prohibition. Signs shall be erected so as to adequately notify the public of such prohibition and the areas affected thereby.

(c) The Commissioner of Health and Human Services and/or his or her designee(s) shall enforce the provisions of this ordinance. The Commissioner or his or her designee(s) shall, for an initial violation of this section, and may for any subsequent violation, afford the violator the option of enrolling in a smoking cessation/education program approved by the Commissioner and/or his or her designee(s). Proof of completion of a smoking cessation/education program approved by the Commissioner or his or her designee shall serve in lieu of the civil fines set forth in Section 20-21. (Rev. Ords. 2001, Ord. X-14, 4-1-02; Ord. No. Z-17, 12-17-07)

Secs 20-8—Sec. 20-12. Reserved.

ARTICLE II. NOISE

Sec. 20-13. Noise control.

(a) This ordinance may be cited as the "Noise Control Ordinance of the City of Newton."

(b) *Declaration of findings and policy.* Whereas excessive sound is a serious hazard to the public health and welfare, safety, and the quality of life; and whereas a substantial body of science and technology exists by which excessive sound may be substantially abated; and, whereas the people have a right to and should be ensured an environment free from excessive sound that may jeopardize their health or welfare or safety or degrade the quality of life; now therefor it is the policy of the City of Newton to prevent excessive sound which may jeopardize the health and welfare or safety of its citizens or degrade the quality of life.

(c) *Scope.* This ordinance shall apply to the control of all sound originating within the limits of the City of Newton except as follows:

- (1) the emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work or in training exercises related to emergency activities; and
- (2) all snow clearance activities; and
- (3) any program or activity supervised by the parks and recreation department of the city in effect and as it exists on June 1, 1983.

(d) *Definitions.* For the purposes of this ordinance the following words and phrases shall have the meanings respectively ascribed to them by this section: