



## Public Safety & Transportation Committee Report

### City of Newton In City Council

**Wednesday, June 8, 2016**

Present: Councilors Ciccone (Chair), Fuller, Yates, Lipof, Norton and Harney

Absent: Councilors Cote and Blazar

City Staff: Chief David MacDonald and Sgt. Jay Babcock, Newton Police Department; Shane Mark, Director of Operations, Department of Public Works; Rachel Blatt, Urban Designer, Planning and Development Department

Others Present: Patrick Sullivan, Director of Policy & Outreach, 128 Business Council and Jim Fitzgerald, Director of Transportation, Environmental Partners Group, Inc.

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

**#212-16**      **Appropriation request for \$250,000 to fund police overtime costs**  
HIS HONOR THE MAYOR requesting authorization to appropriate two hundred fifty thousand dollars (\$250,000) from Free Cash to the Police Department Overtime Account to fund additional FY 2016 overtime costs. [05/31/2016 @ 4:36 PM]  
**Action:**      **Approved 5-0-1, Councilor Fuller abstaining**

**Note:**            Chief MacDonald joined the Committee for discussion on this appropriation.

Chief MacDonald provided Council members with verbal detailed background information regarding the request to appropriate \$250,000.00 to fund additional FY16 overtime costs. He then said that several annual grants were late this year. Due to grant delays, the departmental salaries were paid out of the department budget. The department has incurred several unforeseen expenses that have contributed to the shortfall in the overtime account. Chief MacDonald explained the following overtime expenditures:

- Retirement Payouts: Over \$100,000.00, due to retirements of a Chief and Captain this fiscal year.
- Grants: In FY14, the department received over \$100,000.00 earmarked for overtime costs. This year the department was awarded \$50,000.00, a cut of \$50,000.00.
- Narcan Training: \$9,700.00
- Bias Training: \$12,000.00
- Boston Marathon: \$40,000.00

- Two Additional Drug Take Back Days: \$3,000.00
- Reaccreditation: \$1,300.00
- E-911 Salaries: \$57,000.00
- Sweet Tomatoes Tragedy: \$3,000.00
- Patrol Rifle Training: \$13,500.00
- 273 Days of Absence: Due to on-the-job injuries. As of this discussion, a figure was not available.
  - Overtime Costs relating to membership with the North East Middlesex Law Enforcement Consortium: Through June 7, 2016, \$20,333.00.
  - Table-Top Exercises with EMS, Newton Fire Department and Newton Wellesley Hospital: As of this discussion, a figure was not available.
  - Active Shooter Drill: The drill will be held on June 11, 2016. Chief MacDonald has authorized eight patrol officers, one Lieutenant and one Sergeant for overtime at a cost of \$3,600.00.
  - Chief Office Short Staffed: Overtime expenses of \$10,000.00. On April 19 and May 30, two employees were hired.
  - Court-time Related Expenses: \$17,434.00

Chief MacDonald stated that in FY15, the department's expenditures totaled \$1,018,343.50. This year, from January through May 31, 2016, the department's expenditures have totaled \$1,040,756.00. The projected overtime costs for the end of this fiscal year is \$1,135,370.00 an increase of \$117,000.00 over FY15. The overtime shortfall total as of June 7, 2016 is \$162,246.00. Projected expenses from January through June 30, 2016 are \$66,120.00, leaving the department with \$4,200.00 in available funds.

The Department budgets for staffing of 149 officers inhibiting the department from transferring money from salary accounts. Six officers recently graduated from the Police academy and four are presently in the academy, which will bring the department to 146 complements. Six patrol officers vacancies were filled in September 2015 this allowed the department to curb overtime expenses. Minimum staffing is required, the patrol officers' overtime agreement states that they may take compensation time or cash value.

Councilor members expressed their requests, concerns and questions:

- Council members requested Chief MacDonald provide his presentation in writing for the Finance Committees review.
  - Council members stated that they recall when vacancies are filled, overtime decreases.
  - Is the City reimbursed for the Boston Marathon? Chief MacDonald answered yes; but the reimbursements are placed into a general fund.
  - Are the patrol officers paid hourly or overtime during the Boston Marathon? Chief MacDonald answered that ninety officers worked the day of the Boston Marathon costing the department \$40,000.00.

Councilor Lipof made a motion to approve this appropriation. Council members agreed 5-0-1, Councilor Fuller abstained in order to review written material that will be provided for the Finance

Committee.

**#185-16 License renewal for Needham Shuttle Bus**

128 BUSINESS COUNCIL, request for triennial renewal of the Needham Shuttle Bus License. There are no changes proposed to last year's license. [04/26/16 @ 4:14 PM]

**Action:** **Approved 6-0**

**Note:** Mr. Sullivan and Sgt. Babcock joined the Committee for discussion on this item.

Committee members were provided with the Needham Shuttle Bus route, attached to this report.

Mr. Sullivan stated that the 128 Business Council Service operates out of the Newton Highlands, Monday through Friday during morning and evening peak hours to businesses located on Needham Street in Newton and in the Town of Needham making ten stops. 128 Business Council operates twelve shuttle buses in Newton, Waltham, Lexington and Bedford. The 128 Business Council has been operating the shuttle for 15 years providing 20,000 rides per year, on this shuttle.

Sgt. Babcock asked Mr. Sullivan the following questions:

1. Who will be the 128 Business Council bus provider for the next three years? Mr. Sullivan answered that the 128 Business Council contract with TransAction Associates, Inc., from Woburn will expire on December 31, 2017. He does not know if TransAction would remain the vendor but will be informed in June 2017. Sgt. Babcock then requested that if the vendor changes, 128 Business Council would have to inform him to ensure a new company meets the Newton Police Department vehicle requirements. It was suggested, that either way, Mr. Sullivan inform Sgt. Babcock of the vendor when known. Mr. Sullivan said that the past board order was amended twice, once for a vendor change and once for a route alteration.
2. As new vehicles are added to the route or replaced, will the service provider continue to have back up cameras in each bus? Mr. Sullivan answered yes; all their vehicles have back up cameras.
3. There are concerns about trash being left by riders on top of the bridge, how is this concern being resolved? Sgt. Babcock said that he cannot blame the 128 Business Council riders but they are at this location most often. Mr. Sullivan answered that each bus has trash disposals and signs are posted requesting that trash not be left.

Council members asked the cost of the fare? How does the public know of this service? Do you run the same route as bus 59A? Mr. Sullivan answered that the shuttle is a free service for employees of member companies encouraging employees to use transit. The shuttle is open to the public with a fare of \$4.00, per ride. Service is advertised on 128 Business Council website, Trip Planner and Google Transit including shuttle routes. The route is a little different from the bus 59A route.

Without further discussion, Councilor Lipof made a motion to approve 128 Business Council's request for triennial renewal of the Needham Shuttle Bus License. Council members agreed 6-0.

**#123-16 Request for Presentation of the "Complete Streets Policy and Prioritization Plan"**  
PUBLIC SAFETY & TRANSPORTATION COMMITTEE, requesting a presentation and discussion of the "Complete Streets Policy" and "Complete Streets Prioritization Plan" with the Department of Public Works and Planning Department. [03/25/16 @ 10:49 AM]

**Action: No Action Necessary 4-0, Councilors Lipof and Fuller not voting**

**Note:** Mr. Mark, Mr. Fitzgerald and Ms. Blatt joined the Committee for discussion on this item.

Committee members were provided with a DRAFT Complete Streets Policy, dated June 3, 2016, attached to this report. Mr. Mark stated that the Complete Streets Policy may be tweaked.

Mr. Fitzgerald stated that a Complete Streets Policy describes the roadway that accommodates multiple means of transportation in a convenient and safe manner including those choosing to travel on foot, and by bike, transit, motor vehicle, or a mix of these and other transportation modes regardless of age, abilities, income or the mode of transportation they use. The principles of complete streets design and operations include promoting safety, health, emissions, economic growth, environmental protection, accessibility, livability, and a better quality of life for users of all ages and capacities.

Mr. Fitzgerald described the funding uses, accessing funds and time lines. He stated that most recently, the Massachusetts Department of Transportation (MassDOT) started a funding program supporting Complete Street Policies as an incentive to municipalities to create Complete Street Policies. The funding program allows municipalities to access up to \$400,000.00 a year on submitted and approved projects. Currently there is 12.5 million dollars in the MassDOT reserves to be spent before July 2017. After July 2017, it is not known if funding will be available.

Funding Uses: MassDOT funding can be used for sidewalks, bump-outs, wheel chair ramps, street lights, pedestrian crossing signals, bicycle accommodations, changes to road signs, etc.

Accessing Funds:

Tier 1 – To adopt a Complete Streets Policy. This formalizes the municipalities intent.

Tier 2 – Preparing a Prioritization Plan. This identifies needs, locations and projects. A list of 15 projects will be prepared, prioritized and submitted to MassDOT for their review and granting if selected. Mr. Mark stated that projects identified would be discussed before the appropriate City Council Committee for discussion, with or without the granting of MassDOT funding.

Tier 3 – List of Preferred Projects is submitted. MassDOT then may approve the funding for these selected projects.

Time Lines:

Environmental Partners, Group, Inc. has completed the field inventory with the exception of completed “drive-by” identifying potential projects internally for submittal. In the next few weeks, projects would be identified and prioritized by the City.

Mr. Mark stated that the Complete Streets Policy allows the City departments to work together including representation from the Department of Public Works, Planning and Development Department, Department of Health and Human Services, Office of the ADA Coordinator, Office of the Director of Sustainability, Parks and Recreation Department, Mayor’s Office, and other committees, departments, or organizations within the City as the Mayor shall determine who will use best judgment regarding the practicality of applying complete streets principles for routine roadway maintenance and projects, such as repaving, restriping, and so forth.

Council members expressed their questions, requests and concerns:

Questions:

- If the City lists a bicycle accommodation as a preferred project, would that deter MassDOT from approving and/or granting potential funds?
- Do the projects regarding aqueducts fit into a Complete Streets Policy?
- Is the Department of Conservation and Recreation (DCR) involved regarding the concerns of Charles Bank and Nonantum Roads?
- Does Hubway (bike sharing system) qualify for funding?

Requests:

- Please review the area of the Zervas Elementary School regarding missing sidewalk segments.
- When the identified projects list is complete, please provide a copy.
- Please define specific issues the City is trying to solve.
- A suggestion was made to add the Utilities Director to the Complete Streets Policy Committee.
- A suggestion was made to review the City’s Open Space & Recreation Plan.

Concerns:

- MassDOT is in the process of designing a road-diet and an extensive bike lane project on Hammond Pond Parkway affecting Beacon Street.
  - Route 9 pedestrian and bicyclist concerns.

Mr. Fitzgerald said that he does not feel that MassDOT would deter funding regarding a bicycle accommodation project by sharing the road with both drivers and bicyclists. Mr. Mark answered that at this time DCR is not involved in the prioritization plan or the Complete Streets Policy but he is aware of the concerns on Charles Bank and Nonantum Roads including the ending of sidewalks, the area is not being cleared of snow/ice, lack of pedestrian crossings etc. He then said that he would continue working with DOT and DCR. They will inquire if Hubway qualifies for funding.

Ms. Blatt stated that Complete Streets Policy has been a goal of the City. She then said that the City would use guidance documents when designing stormwater quality.

Mr. Mark stated that the Prioritization Plan is not final; data is still being collected and will be provided. The following two projects are some examples the City of Newton is reviewing at this time including a potential greenway extension on California and Bridge Streets. Installing traffic signal signs that are not illuminated until the pedestrian button is pushed then indicating a “No Right Turn on Red”. Each category will be based on weighted criteria recommending projects for submission. Mr. Mark then said that the City recognizes that all roadway projects, including new construction, maintenance, and reconstruction offer the opportunity to apply complete streets principles and values. The City will avail itself of those opportunities to the maximum extent practical, and will integrate complete streets principles and values into all roadway projects in order to provide a balanced and connected network for all users.

Committee members stated that the DRAFT copy of the Complete Streets Policy was well written addressing and specifying all modes of transportation. They appreciate the City undertaking this policy with the goals of encouraging active lifestyles and overall wellbeing for residents, improving air quality and stormwater quality, and preventing transportation-related deaths and injuries when completing the Complete Streets Policy.

Mr. Mark encouraged Committee members to provide immediate feedback regarding the Complete Streets Policy.

Chair Ciccone stated that he would support a motion for no action necessary and refer this item to the Public Facilities Committee. Mr. Mark said that he felt it was not necessary to refer the Complete Streets Policy to the Public Facilities Committee for discussion, although he will speak with the Chair of the Committee as to her desire. He then suggested an item be docketed for the Complete Streets Prioritization Plan to the Public Facilities and Public Safety & Transportation Committees for a joint discussion.

Without further discussion, Councilor Harney made a motion for no action necessary. Council members agreed 4-0, Councilors Lipof and Fuller not voting.

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

- #64-16**      **Increase the number of Chief of Operation positions in the Fire Department**  
HIS HONOR THE MAYOR, requesting a temporary increase in the number of Chief of Operations in the Fire Department from one to two Chief, as the current Assistant Chief of Operations is on extended sick leave, does not intend to return to his position, and his accrued time does not run out until August 2016. An Assistant Chief has been working as the acting Chief of Operations and the Fire Chief would like to permanently appoint him as the Chief of Operations before August 2016, as the acting Chief of Operations cannot attend bargaining sessions due to a possible conflict of interest should he return to a union position as Deputy Chief. [02/09/16 @ 2:47 PM]  
**Held 6-0 on 02/17/16**

**Action: No Action Necessary 4-0, Councilors Lipof and Fuller not voting**

**Note:** Chair Ciccone stated that this item is no longer necessary due to the unfortunate passing of the Assistant Chief.

Without discussion, Councilor Yates made a motion for no action necessary. Council members agreed 4-0, Councilors Lipof and Fuller not voting.

At approximately 9:15 p.m., Councilor Yates made a motion to adjourn. Council members agreed 4-0, Councilors Lipof and Fuller not voting.

**Respectfully submitted,**

**Allan Ciccone, Jr. Chair**



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#212-16

Telephone  
(617) 796-1100

Facsimile  
(617) 796-1113

TDD/TTY  
(617) 796-1089

E-mail  
swarren@newtonma.gov

May 31, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to appropriate the sum of \$250,000 from June 30, 2015 Certified Free Cash to Acct # 0120101-512001 Police Department Overtime to fund additional FY2016 overtime costs.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren  
Mayor

RECEIVED  
Newton Office  
2016 MAY 31 PM 4:36  
David A. Olson, Clerk  
Newton, MA 02459

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



**Danielle Delaney**

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**From:** Danielle Delaney  
**Sent:** Tuesday, May 17, 2016 10:46 AM  
**To:** 'Patrick Sullivan'  
**Subject:** FW: Request to for Renewal Board Order #201-13

Hi Patrick,

Sgt. Babcock asked that you attend the June 8, PS&T Committee meeting to address the following questions/concerns:

1. *Who will be their service bus provider for the next three years?*
2. *Will the service provider continue to have back up cameras in each bus?*
3. *There are concerns about trash being left by riders on top of the bridge - what's their problem solving for this.*

*All these would be tied into their permit.*

*From Sgt. Babcock*

I will send you a copy of the agenda in early June.

Thank you  
Danielle Delaney

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**From:** Danielle Delaney  
**Sent:** Thursday, April 28, 2016 1:38 PM  
**To:** 'Patrick Sullivan'  
**Subject:** RE: Request to for Renewal Board Order #201-13

Thank you. I have scheduled you for June 8.  
I will be in touch.  
Danielle

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**From:** Patrick Sullivan [<mailto:psullivan@128bc.org>]  
**Sent:** Tuesday, April 26, 2016 2:35 PM  
**To:** Danielle Delaney  
**Cc:** Lisa Stiglich  
**Subject:** Request to for Renewal Board Order #201-13

Hello Danielle,

Please see the attached request letter to renew Board Order #201-13. We have not changed the route, vehicle, or vendor since the permit was last amended in June, 2015.

Please let me know if I can provide you with any additional information pertaining to this request.

Thank you,  
Patrick Sullivan

Patrick Sullivan, LEED GA

Director of Policy & Outreach

128 Business Council

395 Totten Pond Rd, Suite 302

Waltham, MA 02451

e. [psullivan@128bc.org](mailto:psullivan@128bc.org)

p. 781-890-0093, ext. 5

f. 781-890-4736

w. [www.128bc.org](http://www.128bc.org)



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# 128 BUSINESS COUNCIL

April 25, 2016

Danielle Delaney, Committee Clerk  
Newton Board of Alderman  
Public Safety & Transportation Committee  
1000 Commonwealth Ave  
Newton, MA 02459

RECEIVED  
NEWTON BOARD OF ALDERMAN  
2016 APR 26 PM 4:14  
DANIELA DELANEY, CLERK  
NEWTON, MA 02459

triennial  
renewal

RE: Renewal of board order # 201-13


Mrs. Delaney:

128 Business Council is requesting a renewal of our permit to operate the Needham Shuttle in Newton, board order# 201-13.

The Needham Shuttle operates Monday through Friday from 6:30am - 10am and from 3:45pm - 6:40pm. The shuttle service provides commuter with direct transit access from Newton Highlands MBTA Station on Walnut Street to offices located at 320 Needham Street in Newton, as well as the Needham Crossing Office Park in Needham. Over the past two years the Needham Shuttle has provided nearly 45,000 rides to commuters who would otherwise likely be driving to their destination in single-occupancy vehicles.

128 Business Council seeks to renew our permit to allow our shuttle to travel on Oak Street, Eliot Street, Woodward Street, and Lincoln Street.

The shuttle route between 320 Needham Street and Newton Highland Station has the vehicle turning left off of Needham Street on to Oak Street, then right onto Eliot Street. The shuttle then travels on Eliot Street across Route 9 and onto Woodward Street, then right on Lincoln Street. Please see the attached map for a detailed view of the route.

128 Business Council staff has met with Sergeant Babcock from the Newton Police Traffic Bureau Division several times since 2013 to review the shuttle route and inspect the vehicle. There have not been any changes made to the shuttle route or vehicle used for the service since 128 Business Council requested an amendment to the permit in June 2015. 

Sincerely,  
Patrick Sullivan  
Director of Policy & Outreach  
128 Business Council

UNLOCKING THE GRID

395 Totten Pond Road, Suite 302, Waltham, MA 02451 • Main: 781.890.0093 Fax: 781.890.4736 • [www.128BC.org](http://www.128BC.org)



CITY OF NEWTON  
IN BOARD OF ALDERMEN

June 17, 2013

TO BE ISSUED JULY 14, 2013 (TO JULY 14, 2016)

The Board of Aldermen, pursuant to the provisions of Section 19-361 et. Seq. of the Revised Ordinances, as amended, hereby grants a license to

The 128 Business Council  
395 Totten Pond Road  
Waltham, MA 02454-1290

Through its bus operator:  
Local Motion, Inc.  
66B Rocsam Park Road  
Braintree, MA 02184

to operate a motor vehicle for the carriage of passengers for hire over the following described ways in the City of Newton as further specified herein.

1. Designated Routes:

Service between Newton Highlands and businesses located on Wells Avenue in Newton and in the Town of Needham

(a) Newton Highlands Green Line Stop – Walnut Street – Centre Street – Winchester Street – Needham – Street – to border of Town of Needham.

(b) From border of Town of Needham – Nahanton Street – 2 Wells Avenue – 95 Wells Avenue.

2. Days and Hours of Operation: Monday through Friday, 6:00 a.m. until 7:00 p.m. Shuttle service leaves approximately every 45 minutes. There is no midday service.

3. Vehicle Specifications:

a. Type of Vehicle(s): 2009 International RE Commercial

Number of vehicles: 1

Seating Capacity: 36 plus 2 ADA accessible seats

Propulsion system: Six cylinder, low sulfur diesel

b. The Licensee shall equip vehicles with two-way radios and cell phones and shall maintain contact between a dispatcher and all vehicles while in operation on the routes described herein.

4. Street Use: Centre Street, Columbus Street, Forest Street, Lincoln Street, Nahanton Street, Needham Street, Station Avenue, Walnut Street, and Wells Avenue.

5. Passenger Pickup: The Newton Highlands T Station, opposite the station on Walnut Street, other locations on private property.

6. Modifications: Subsequent to the renewal of the License, the Licensee shall be authorized to make minor adjustments to the regular bus service. The Licensee shall notify the Chief of Police within five (5) business days of any adjustment in the days of operation and hours. The Chief of Police shall maintain a file of all such requests in order to verify the total changes to the service at the end of each License term. Any other changes to the regular service shall require the approval of the Board of Aldermen.

7. Term: This License is valid beginning July 14, 2013 and shall expire on July 14, 2016. Subsequent license renewals shall be granted in the discretion of the Board of Aldermen.

8. Enforcement and violation: The Chief of Police shall be charged with the enforcement of the provisions of this License. Violation of any of the above provisions shall be cause for revocation of this license in accordance with procedures to be established by the Board of Aldermen.

9. Hold harmless: The 128 Business Council and Local Motion, Inc. systems, and their officials, trustees, agents, servants and employees shall hold harmless and defend the City of Newton from and against all claims, damages, demands and actions of every kind arising out of the exercise of this License.

10. Severable provisions: The provisions of this License are severable. If any of the provisions of this License are held invalid by a court of competent jurisdiction, the remaining provisions of this License shall not be affected by such invalidity and shall remain in full force and effect, provided that upon such a finding or invalidity the City shall have the right to initiate proceedings to revise the remaining provisions of the License in a manner not inconsistent with any such finding of invalidity.

Under Suspension of Rules  
Readings Waived and Approved  
22 yeas 0 nays 1 absent (Alderman Lappin) 1 vacancy

(SGD) DAVID A. OLSON  
City Clerk

(SGD) SETTI D. WARREN  
Mayor

Date: \_\_\_\_\_

CITY OF NEWTON

IN BOARD OF ALDERMEN

September 15, 2014

The Board of Aldermen, pursuant to the provisions of Section 19-361 et. Seq. of the Revised Ordinances, as amended, hereby AMEND license #201-13, issued on July 14, 2013 to

The 128 Business Council  
395 Totten Pond Road  
Waltham, MA 02454-1290

Through its bus operator:  
Local Motion, Inc.  
66B Rocsam Park Road  
Braintree, MA 02184

to operate a motor vehicle for the carriage of passengers for hire over ways in the City of Newton as follows:

1. Include as destinations: 320 Needham Street, Newton, and Needham Crossing Office Park via Needham Street stops.
2. In Street Use eliminate Columbus Street and Forest Street
3. In Street Use add Elliot Street, Oak Street, and Woodward Street.
4. All other conditions in license #201-13 shall remain in effect.

Under Suspension of Rules  
Readings Waived and Approved  
22 yeas 0 nays 1 absent (Alderman Lappin) 1 vacancy

(SGD) DAVID A. OLSON  
City Clerk

(SGD) SETTI D. WARREN  
Mayor  
Date: \_\_\_\_\_

CITY OF NEWTON  
IN BOARD OF ALDERMEN

June 15, 2015

The Board of Aldermen, pursuant to the provisions of Section 19-361 et. Seq. of the Revised Ordinances, 2012, hereby AMENDS license #201-13 issued on July 14, 2013 and further amended on September 15, 2015 to

The 128 Business Council  
395 Totten Pond Road  
Waltham, MA 02454-1290

to operate a motor vehicle for the carriage of passengers for hire over ways in the City of Newton as follows:

1. Delete the current bus operator:  
Local Motion, Inc.  
66B Rocsam Park Road  
Braintree, MA 02184
  
2. And insert in place therefore the following  
  
Bus operator  
TransAction Associates, Inc.  
5 Wheeling Avenue  
Woburn, MA 01801
  
3. Delete the following:
  - a. Vehicle Specifications:  
  
Type of Vehicle(s): 2009 International RE Commercial  
Number of vehicles: 1  
Seating Capacity: 36 plus 2 ADA accessible seats  
Propulsion system: Six cylinder, low sulfur diesel
  
4. Insert the following:
  - a. Vehicle Specifications  
  
Type of Vehicle(s): 2013 Starcraft Ford Chassis  
Number of vehicles: 1  
Seating capacity: 33, not ADA accessible  
Propulsion system: Ten cylinder, gas vehicle



Vehicle's features: GPS, 2-way radio, backup camera

5. In condition 9. Hold harmless: delete the words "Local Motion, Inc." and substitute in place thereof the words "TransAction Associates Inc."
6. All other conditions in license #201-13 as amended shall remain in effect.

Under Suspension of Rules

Readings Waived and Approved

21 yeas 0 nays 3 absent (Aldermen Albright, Fuller, and Lennon)

(SGD) DAVID A. OLSON  
City Clerk

(SGD) SETTII D. WARREN  
Mayor

Date: \_\_\_\_\_

# City of Newton

## **DRAFT** Complete Streets Policy



### **§ 1. Vision**

The City of Newton is committed to developing complete streets throughout the community. It is hereby the policy of the City to accommodate all users equally by creating a roadway network that meets the needs of everyone, without regard to their age, abilities, income, or the mode(s) of transportation they use.

This Complete Streets Policy envisions streets that serve as public spaces and community resources, and further aims to expand transportation choices within Newton by creating an integrated network of inviting facilities for those choosing to travel on foot and by bike, transit, motor vehicle, or a mix of these and other transportation modes. The City undertakes this policy with the goals of encouraging active lifestyles and overall wellbeing for residents, improving air quality and stormwater quality, and preventing transportation-related deaths and injuries.

It is the City's vision that the roadway network will be designed and operated in accordance with complete streets principles – to provide safety, comfort, and access for all the users of our streets, including, but not limited to, pedestrians, bicyclists, transit riders, motorists, motorcyclists, freight haulers, service and delivery personnel, and emergency responders, etc. (collectively, all users). Broadly, the principles of complete streets design and operations include promoting safety, health, economic growth, environmental protection, accessibility, livability, and a better quality of life for users of all ages and capacities. Complete streets also advance fairness by providing safe travel options for all, regardless of income.

Complete streets design and operations values the preservation and enhancement of scenic, aesthetic, historical, and environmental resources while maintaining or improving safety, mobility, and infrastructure conditions. Complete streets design and operations also values inclusion, transparency, sensitivity to the immediate context, and the broader physical, economic, and social setting of any particular project.

This policy directs City staff to consistently incorporate complete streets principles and values into all planning and decisions related to the city's roadways.

### **§ 2. Core commitments**

- A. The City of Newton affirms that all users of all transportation modes have an equal right to safe use of the roads. The City will plan, design, operate, and maintain Newton's streets so that they are safe for users of all ages and abilities.
- B. The City endeavors to meaningfully involve community members in relevant processes of complete streets prioritization and individual projects, and to involve them in ways that reflect a commitment to inclusiveness and equity.

C. The City recognizes that all roadway projects, including new construction, maintenance, and reconstruction offer the opportunity to apply complete streets principles and values. The City will avail itself of those opportunities to the maximum extent practical, and will integrate complete streets principles and values into all roadway projects in order to provide a balanced and connected network for all users.

- (1) Complete streets design recommendations shall be incorporated into all publicly and privately funded projects, as appropriate. All transportation infrastructure and street design projects requiring funding or approval by the City of Newton, as well as projects funded by the state and federal governments, including but not limited to Chapter 90 funds, City improvement grants, Transportation Improvement Program (TIP), the MassWorks Infrastructure Program, Community Development Block Grants (CDBG), Capital Funding, and other state and federal funds for street and infrastructure design shall adhere to the City of Newton Complete Streets Policy.

Private developments and related roadway design components shall adhere to the complete streets principles. In addition, to the extent practical, state-owned roadways will comply with the Complete Streets Policy, including the design, construction, and maintenance of such roadways within City boundaries.

- (2) City departments, in consultation with a Complete Streets Committee (described below), will use best judgment regarding the practicality of applying complete streets principles for routine roadway maintenance and projects, such as repaving, restriping, and so forth.
- (3) Transportation infrastructure projects, including but not limited to roadway reconstruction, roadway reconfigurations, or subdivisions, may be excluded upon approval by the Newton Complete Streets Committee, where documentation and data indicate that any of the following apply:
  - i. Roadways where specific users are prohibited by law, such as interstate freeways or pedestrian malls. An effort will be made, in these cases, for accommodations elsewhere.
  - ii. Cost or impacts of expanding multi-modal accommodations are excessively disproportionate to the need or probable future use.
  - iii. Minor, routine, and preventative maintenance of the transportation network that does not change the roadway geometry or operations; such as mowing, sweeping, overlay, microsurfacing, crack sealing, and spot repair.
  - iv. Private Ways, which are neither owned nor maintained by the City. Private ways shall be encouraged to consult with the Complete Streets Committee before beginning projects.
  - v. Other City policies, regulations, or requirements contradict or preclude implementation of complete streets principles.

### § 3. Best practices

In meeting the Complete Streets vision and commitments described above the following best practices will guide the activities of the Complete Streets Committee.

- A. The City of Newton will carry out the Complete Streets Policy cooperatively within all relevant departments in the City and, to the greatest extent possible, with private developers, state, regional, and federal agencies, as well as members of the public.
- B. The City commits to considering all potential complete streets projects in a context-sensitive way with regards to both potential infrastructure changes and the process through which they are adopted. The City will establish opportunities for ongoing and project-specific engagement around complete streets topics.
- C. The City recognizes that complete streets principles and values may be achieved through major infrastructure projects as well as incrementally through a series of smaller improvements and maintenance activities over time.
- D. The City will integrate the Complete Streets Policy into its existing policies, planning, and design efforts related to roadway development and maintenance as well as future policy, planning, and roadway design work.
- E. The latest design guidance, standards, and recommendations available will be used in the implementation of complete streets principles, including but not limited to the most up-to-date versions of the following:
  - (1) Project Development & Design Guide; Massachusetts Highway Department, January 2006. <https://www.massdot.state.ma.us/highway/DoingBusinessWithUs/ManualsPublicationsForms/ProjectDevelopmentDesignGuide.aspx>
  - (2) A Policy on Geometric Design of Highway and Streets; American Association of State Highway Transportation Officials (AASHTO), 6<sup>th</sup> Edition - 2011.
  - (3) The Manual on Uniform Traffic Control Devices (MUTCD); the United States Department of Transportation Federal Highway Administration, 2009. <http://mutcd.fhwa.dot.gov/>
  - (4) 521 CMR Rules and Regulations; Massachusetts Architectural Access Board (MAAB), 2006. <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-source/cmr/500-599cmr/521cmr.html>
  - (5) Public Rights of Way Accessibility Guidelines (PROWAG) DRAFT; United States Access Board, July 2011. <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines>
  - (6) ADA Standards for Accessible Design; United States Department of Justice, September 2010. <http://www.ada.gov/regs2010/2010ADAStandards/2010ADASTandards.htm>
  - (7) Urban Street Design Guide, National Association of City Transportation Officials, October 2013. <http://nacto.org/publication/urban-street-design-guide/>
  - (8) Boston Complete Streets Design Guidelines; City of Boston, October 2013. <http://bostoncompletestreets.org/>

- (9) Documents and plans created for the City of Newton, including but not limited to, the 2007 Comprehensive Plan, 2006 Newton Tree Manual, 2011 Bicycle Network Plan, 2014 Parking Management Plan, 2015 Newton Centre Parking Strategy, and the 2016 Newton-in-Motion Transportation Strategy (forthcoming).

#### **§ 4. Implementation**

##### **A. Complete Streets Committee Organization**

- (1) The City will utilize interdepartmental coordination to promote the most responsible and efficient use of resources for activities within the public way.
- (2) The existing Complete Streets Working Group will be expanded and formalized as the Complete Streets Committee (the Committee). This committee is comprised of members of relevant City departments required to implement this vision. The Complete Streets Committee will be a multidisciplinary team and members will include representation from: Department of Public Works (DPW), Planning and Development Department, Department of Health and Human Services, Office of the ADA Coordinator, Office of the Director of Sustainability, Parks and Recreation Department, Mayor's Office, and other committees, departments, or organizations within the City as the Mayor shall determine.
- (3) The City will secure training for relevant City staff and decision-makers on both the technical content of complete streets principles and best practices, as well as community engagement methods for implementing the Complete Streets Policy.

##### **B. Complete Streets Committee Purpose Statement**

The City of Newton, with the leadership of the Complete Streets Committee, shall make complete streets practices a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve streets and the transportation network for all users, and shall work in coordination with all relevant departments, agencies, and jurisdictions to achieve complete streets principles and values throughout Newton's transportation network.

##### **C. Complete Streets Committee Activities**

- (1) In accordance with the vision, core commitments, and best practice of this policy, the Committee will review roadway projects and make recommendations regarding complete streets opportunities. As practicable, the Committee will provide recommendations for incorporating complete streets design and operations in a project's beginning stages of design.
- (2) The Committee will develop context-specific community engagement strategies, as appropriate, in order to ensure that the perspectives of community members are considered and incorporated in the process of a project. The Committee will collaborate with the Community Engagement Manager and relevant stakeholder groups to ensure two-way communications about the implementation of this policy.
- (3) The Committee will evaluate projects within the Capital Improvement Plan to encourage implementation of this policy.

- (4) The Committee shall oversee the maintenance of a comprehensive inventory of walking and bicycling facilities, and shall highlight projects that eliminate gaps in the sidewalk and bikeway network.
- (5) The Committee will seek out appropriate sources of funding and grants for implementation of the Complete Streets Policy.
- (6) The Committee will make recommendations to the Mayor concerning the need to alter existing practices that may be impeding implementation of this policy.
- (7) This policy in no way alters the decision making role of City Council committees that review and approve roadway projects. Twice a year, the Complete Streets Committee will provide updates to the Public Facilities Committee of the City Council and will provide guidance on particular projects as appropriate.

### **§ 5. Evaluation of effectiveness**

The Complete Streets Committee will develop performance measures to periodically assess the rate, success, and effectiveness of implementing the Complete Streets Policy. The Committee will determine the frequency of assessment and utilize appropriate metrics for analyzing the success of this policy. These metrics may include the total miles of new bicycle lanes; the linear feet of new pedestrian accommodation; number of retrofitted pedestrian facilities or amenities; number of intersection improvements made to improve safety for vehicles, pedestrians, and bicyclists; number of accessible pedestrian signals; rate of crashes by mode; rate of children walking or bicycling to school; and/or number of trips by mode. The Committee will report on these metrics in its semi-annual reporting to the City Council's Public Facilities Committee.



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#64-16

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(617) 796-1100

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(617) 796-1113

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(617) 796-1089

E-mail  
swarren@newtonma.gov

February 9, 2016

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

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to approve the temporary suspension until September 15, 2016 of Article II – Fire Department Sec. 10.18 of the City of Newton Revised Ordinances to allow for the permanent appointment of the Acting Assistant Fire Chief to the position of Assistant Fire Chief.

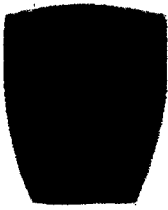
Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren  
Mayor

RECEIVED  
Newton City Hall  
2016 FEB -9 PM 2:14  
David A. Olson  
Newton, MA 02459





Bruce A. Proia  
Chief

**CITY OF NEWTON, MASSACHUSETTS  
FIRE DEPARTMENT HEADQUARTERS**

**1164 Centre Street, Newton Center, MA 02459-1584  
Chief: (617) 796-2210 Fire Prevention: (617) 796-2230  
FAX: (617) 796-2211 EMERGENCY: 911**



Setti D. Warren  
Mayor

January 26, 2016

Maureen Lemieux  
Chief Financial Officer  
City of Newton  
Newton, MA 02459

Dear Maureen,

I am requesting to docket an item to create a temporary position for the Assistant Chief of Operations position. Assistant Chief Paul Chagnon has been on extended sick leave since December of 2014, and will run out of time in August of this year. Assistant Chief Gino Lucchetti has been working in an acting position in his place, and was promoted into the Acting position on March 15, 2015.

Assistant Chief Paul Chagnon is still on extended sick leave and will not be returning to his position with the Newton Fire Department. He will run out of accrued time in August 2016, and I do not want to wait any longer to permanently fill this very important position. The Ops Chief is second in command for The Newton Fire Department and among the many responsibilities, steps in as Acting Chief when I am not available for any reason. This includes responding to emergency calls to serve as, and take on the responsibilities, of the Incident Commander (I.C.). In addition, I need the Ops Chief to attend bargaining sessions, which he has not done to this point in time because of a possible conflict of interest should he return back to a union position as Deputy Chief. He has done a fantastic job since stepping into this position and I would like to make it permanent. Four additional promotions into acting positions were made in March of 2015 per the CBA. All of the acting positions have been covered with my operational budget. This will also be the case here should you grant the request for a temporary Ops Chief position. Once Assistant Chief Chagnon retires the temporary position will be cut from the budget.

Thank you for your consideration, and please let me know if you have any questions.

Sincerely,

  
Bruce Proia  
Chief of Department

RECEIVED  
Newton City Clerk  
2016 FEB -9 PM 2:43  
David A. Olson, CM  
Newton, MA 02459