



Public Safety & Transportation Committee Agenda

City of Newton In City Council

Wednesday, June 22, 2016

7:00 PM
Room 205

Items Scheduled for Discussion:

#186-16(A)&(B) License renewals for Boston College Bus

BOSTON COACH TRANSPORTATION, request for annual renewal of the Boston College Bus Licenses. There are no changes proposed to last year's licenses. [04/28/16 @ 1:18 PM]

#106-16

Appeal of Traffic Council Decision of new parking regulations on Chestnut Street
COUNCILOR HESS-MAHAN, appealing the Approval of TC56-15 Traffic Council Decision on February 25, 2016: 15-minute parking zone, 8:00 a.m. to 5:00 p.m. in front of 25 Chestnut Street. Requesting on behalf of business owners 1) Reduce or eliminate the five approved 15-minute parking spaces. 2) Reinstate the one-hour limit, west side, 7:00 a.m. to 6:00 p.m. (Ward 3) [Appeal filed 03/04/16]

Items Not Scheduled for Discussion at this meeting:

Referred to Public Safety & Transportation and Public Facilities Committees

#208-16

Update on fire prevention at the compost operation at Rumford Avenue Landfill
COUNCILOR LEARY, requesting the Executive Office, the Fire Department, and the Department of Public Works provide an update on fire safety issues at the compost operation at the Rumford Avenue Landfill including details about who is currently managing the site for fires. [05/31/16 @ 4:52 PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

- #188-16** **Discussion concerning traffic safety measures in West Newton Square**
COUNCILORS HESS-MAHAN, COTE AND BROUSAL-GLASER, requesting a discussion with the Police Department, DPW and Transportation Division concerning safety measures to protect individuals from motor vehicles in West Newton in light of the accident on March 1, 2016, which caused fatalities and serious injuries. [05/06/16 @ 1:02 PM]
- #187-16** **Discussion on steps taken to train the Police Department on downing drones**
COUNCILORS COTE AND HARNEY, requesting a discussion with the Chief of Police on the steps the department has taken, either internally or externally with mutual aid to prepare the city for potential criminal threats by drones including what the department has done to train officers in effective means of downing dangerous drones. [05/04/16 @ 4:13 PM]
- #80-16** **Discussion on alternative bus routes impacting the closing of the Elliott Street Bridge**
COUNCILOR YATES, requesting a discussion with the Massachusetts Department of Transportation and Massachusetts Bay Transportation Authority to work with the City to develop alternative routes for bus route 59 that lessen the impact of closing the Elliot Street (Cooks) Bridge. [02/22/16 @ 4:45 PM]
Held 5-0 on 03/23/16, Councilor Lipof not voting

REFERRED TO PROGRAMS & SERVICES AND PUBLIC SAFETY COMMITTEES

- #312-15** **Update from Health Department on opiate overdose epidemic**
ALD. COTE, HARNEY AND NORTON, requesting a review and discussion of the opiate overdose epidemic including an update from the Health Department appraising the board on the current situation to include comparative statistics from previous years as to the number of opiate overdoses handled by first responders. In addition, what is being done immediately to take this on and what support can the Board provide. [10/19/15 @ 1:30 PM]

REFERRED TO PUB FACIL, PROG & SERV, AND PS&T COMMITTEES

- #46-15** **Discussion of parking options and permits at municipal and school parking lots**
ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]
- #72-14** **Discussion of installing a possible bike lane on Walnut Street**
ALD. CICCONE & JOHNSON, requesting a discussion of the installation of a possible bike lane on Walnut Street between Otis Street and Commonwealth Avenue. [03/03/14 @ 8:17 AM]

- #28-14** **Discussion on duplicate street names**
ALD. CICCONE AND FULLER, on behalf of the Health Department and the Emergency Medical Services (EMS) requesting a discussion on duplicate street names.
[01/09/14 @ 10:57 AM]
- #240-12** **Request Chapter 19 Motor Vehicles & Traffic be amended, Sec. 19-224 and 19-226**
RECODIFICATION COMMITTEE, requesting that **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended to determine who has jurisdiction for parking on municipal land, the owning department as described in **Sec. 19-224. Parking prohibited on city grounds.** or the Traffic Council as described in **Sec. 19-26. Authority and role of Traffic Council.**
- REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES**
- #413-11** **Updates on the renovations to the City's fire stations**
ALD. CICCONE, SALVUCCI, GENTILE & LENNON, updating the Public Facilities and Public Safety & Transportation Committees on the progress of renovations to the city's fire stations. [11/17/11 @ 11:07 AM]
- #137-11** **Possible changes to long-term meter fees to discourage short-term use**
ALD. DANBERG AND FULLER, requesting possible changes to City Ordinance 19-191, Parking Meter Fees, to require a minimum purchase at long-term parking meters in order to discourage short-term use. [04/26/11 @ 9:52 AM]

Respectfully submitted,

Allan Ciccone, Jr. Chair

Holland & Knight

10 St. James Avenue | Boston, MA 02116 | T 617.523.2700 | F 617.523.6850
Holland & Knight LLP | www.hklaw.com

Frank G. Stearns
(617) 854-1406
frank.stearns@hklaw.com

April 25, 2016

Danielle Delaney
City Clerk's Office
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

*Annual
Renewal*

Re: Boston College Bus Licenses Renewal

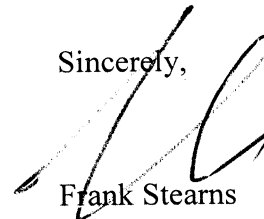
Dear Danielle:

This is a request to put on the docket for the Public Safety and Transportation Committee of the City Council a request to renew the bus licenses for the Boston College routes. Last year these were docket items # 154-15(A) and 154-15 (B).

Attached to this letter are mark ups of the existing 2015-2016 licenses with the suggested changes for 2016-2017.

Thank you.

Sincerely,



Frank Stearns

FGS:dhb

Enclosures

cc: Howard A Levine
John Savino, Boston College
Linda Riley, Boston College
Jeanne Levesque, Boston College
Joseph Herlihy, Boston College

RECEIVED
NEWTON CITY CLERK
2016 APR 28 PM 1:18
DAVID A. OLSON, CLERK
NEWTON, MA 02459

CITY OF NEWTON

IN BOARD OF ALDERMEN CITY COUNCIL

2015

2016

TO BE ISSUED JULY 1, ~~2015~~2016 (TO JUNE 30, ~~2016~~2017)

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

BOSTON COACH CORPORATION

1 Airforce Road
Everett, MA 02149

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

Designated Route:

Boston College Chestnut Hill Campus to Boston College Law School (the "Law School Route").

A. Specific Conditions for Each Route:

1. Boston College Law School Routes (A & B below). Note that for the Law School Route only, the routes and vehicles used change according to the day and time as stated below.

Description of Routes: (From BC Chestnut Hill Campus)

A. Direct Newton Route:

Proceed west on Commonwealth Avenue to Centre Street, turn right onto Centre Street heading north to Law School campus. Turn left into main entrance and proceed to Stuart Hall parking lot. Proceed from Stuart Hall parking lot to main entrance. Turn right onto Centre Street and proceed south to Commonwealth Avenue. Turn left onto Commonwealth Avenue heading east to the Commonwealth Avenue Main Gate curb cut at Chestnut Hill Campus. Turn right into Lower Campus by St. Ignatius Church and proceed to Robstrom Bus Stop. Return to Stuart Hall via Commonwealth Avenue.

1. Early Morning Service:

- a. Type of Vehicle(s): Gillig
- b. Seating Capacity:

1. 34 Seats plus 32 standees (66 total)

2. Propulsion system: Diesel

- c. Days and hours of Operation: **(Fall and Spring Semesters, August 19, 2015 through May 31, 2016)**[Dates to be inserted]

1. Monday – Friday: 7:00 a.m. – 2:00 a.m.

- d. Limitation on Total Number of Vehicles and Frequency of Service:

1. The number of vehicles in service and round trips per hour shall not exceed the limits stated below.

- a. Monday – Friday
7:00 a.m. – 10:00 a.m.
8 vehicles
16 round trips

B. Newton Loop Route

Proceed west on Commonwealth Avenue to Centre Street. Turn right onto Centre Street heading north to Law School campus. Turn left into main entrance and proceed to Stuart Hall parking lot. Proceed from Stuart Hall parking lot to main entrance. Turn right onto Centre Street and proceed south to Commonwealth Avenue. Turn left onto Commonwealth Avenue heading east to the Commonwealth Avenue Main Gate curb cut at Chestnut Hill Campus. Eastbound Route terminates at Newton City line. Route reenters Newton at the Boston/Newton line on Beacon Street Heading west. Turn right onto College Road. Turn left onto Commonwealth Avenue heading west to Centre Street.

- a. Type of Vehicle(s): Gillig

1. Seating Capacity:

a. 34 seats plus 32 standees (66 total)

2. Propulsion system: Diesel

- b. Days and Hours of Operation: **(Fall and Spring Semesters, August 19, 2015 through May 31, 2016)**[Dates to be inserted]

1. Monday – Friday: 7:00 a.m. – 2:00 a.m.

2. Saturday/Sunday/Holidays: 8:00 a.m. – 2:00 a.m.

3. Summer Schedule **(June 1, 2015 – September 4, 2016)**[Dates to be inserted]:
8:00 a.m. – 2:00 a.m.

- c. Limitation on Total Number of Vehicles and Frequency of Service:

1. The number of vehicles in service and round trips per hour shall not exceed the limits stated below.

- a. Daily Service:

1. Monday – Friday:

7:00 a.m. – 10:00 a.m.
No more than 8 vehicles; no more than 16 round trips

2. 10:00 a.m. – 3:00 p.m.
No more than 4 vehicles; no more than 8 round trips
3:00 p.m. – 8:00 p.m.
No more than 5 vehicles; no more than 10 round trips

b. Evening and Weekend Service

1. Monday – Friday:

8:00 p.m. – 2:00 a.m.
No more than 4 vehicles; no more than 8 round trips

2. Saturdays/Sundays/Holidays:

8:00 a.m. – 2:00 a.m.
No more than 4 vehicles; no more than 8 round trips

3. Summer Schedule (~~July 1, 2015 – August 18, 2016~~) [Dates to be inserted] 7:00 a.m.–5:00 p.m.

C. Stops and Other Conditions Applicable to Law School Routes:

1. Stops recommended as follows, subject to approval of Police Chief:

a. Within Law School Campus:

1. Stuart Hall Parking Lot
2. Main Gate
3. Hardly/Cushing
4. Duchesne Hall
5. Keyes South

b. On public ways:

1. McElroy @Beacon Street (Newton Loop Only)
2. Donaldson @College Road (Newton Loop Only)
3. Commonwealth Avenue @Main Gate curb cut

2. Points of campus entry and exit:

- a. Chestnut Hill: St. Ignatius Gate & Edmonds Gate
- b. Law School: Main entrance and Colby Road

D. Newton Center Shuttle Route

Start at Conte Forum; Right onto Chestnut Hill Drive; Right onto Beacon Street; Right onto College Road; Left onto Commonwealth Avenue; Left onto Centre Street, Left onto Lyman

Street; Stop at Citizens Bank; Left onto Willow Street; Right onto Centre Street; Right onto Commonwealth Avenue; Right onto Fr. Herlihy Drive; Right into Boston College Campus.

Return to Conte Forum Bus Stop.

a. Type of Vehicle: Gillig

1. Seating capacity

a. 34 seats plus 32 standees (66 total)

2. Propulsion System: Diesel

b. Days and hours of operation (Fall and Spring semesters, ~~August 19, 2015 through May 31, 2016~~) [Dates to be inserted] Sundays only, 12 p.m. to 6:00 p.m. and Monday through Friday, 7:00 p.m. to 9:00 p.m.

1. The number of vehicles in service and round trips per hour shall not exceed the limits stated below.

a. 1 vehicle.

b. up to 2 round trips per hour.

2. Stops and Other Conditions Applicable to Newton Center Route:

Stops recommended as follows, subject to approval of Police Chief:

1. Conte Forum

2. McElroy

3. College Road

4. Citizen's Bank, Lyman Street

5. Boston College Main Gate

6. Robsham

7. Conte Forum

3. Points of campus entry and exit

a. Chestnut Hill: St Ignatius Gate @Edmonds Gate

b. Commonwealth Avenue Main Gate

3. Other Operating Conditions:

a. Idling time when stopped on public ways shall not exceed 3 minutes, exclusive of time needed to pick up and discharge passengers.

b. The License term for this route shall commence on ~~July 1, 2015~~ **July 1, 2016** and shall terminate on ~~June 30, 2016~~ **June 30, 2017** unless renewed by the ~~Board of Aldermen~~ City Council, subject to the right of the ~~Board of Aldermen~~ City Council to make changes during the license term as conditions may require.

BC Student Shuttle Service to The Street, Chestnut Hill Mall and Chestnut Hill Square

Route and Stops:

- A. Alumni Stadium □ Leave Boston College from Conte Forum (Campanella Way side); turn Right onto St. Thomas More Road (becomes Chestnut Hill Driveway); turn Right onto Beacon Street; turn Left onto Hammond Pond Parkway; turn Right into the rear entrance of the Chestnut Hill Mall.
- B. Chestnut Hill Mall – Stop at the MBTA stop located at the west end of the parking garage; exit Chestnut Hill Mall crossing Rt. 9; turn Right into Chestnut Hill Square.
- C. Chestnut Hill Square □ Exit parking lot, taking a right on Rt. 9; exit towards Hammond Parkway; turn left on Hammond Pond Parkway; turn Right into the parking lot heading toward the movie theater.
- D. The Street □ Stop in the rear of the garage by the movie theatre; proceed straight going toward Star Market; stop at MBTA Bus Shelter; exit the parking lot; turn Right onto Hammond Pond Parkway; turn Right on to Beacon Street; turn Left onto College Road; stop at the existing College Road bus stop; turn Right onto Commonwealth Avenue; stop at Boston College Main Gate.
- E. Boston College Main Gate – Continue on Commonwealth Avenue; turn Left onto Fr. Herilhy Drive; turn Right onto campus at St. Ignatius Gate; continue on Campanella Way stop at Robsham Theatre.
- F. Boston College Robsham Theatre □ Continue on Campanella Way; Stop at Alumni Stadium
- A. Alumni Stadium

Schedule September –December: January □ May

Thursday-	2 pm to 10 pm 8 trips last pick up at 9:30pm
Friday-	2 pm to 10 pm 8 trips last pick up at 9:30pm
Saturday □	10 am to 5 pm 7 trips last pick up at 4:30 pm
Sunday □	10 am to 5 pm 7 trips last pick up at 4:30pm

c. General Conditions Applicable to All Routes:

1. The Licensee shall not operate buses or other vehicles on any routes or public ways in Newton other than those designated herein.
2. No changes shall be made in any of the conditions of this license, and, in particular, in the routes, termini, running schedules, stops or vehicles without the prior written consent of the ~~Board of Aldermen~~ City Council of the City of Newton. Licensee shall forward all requests for changes to the Clerk of the ~~Board of Aldermen~~ City Council in writing. The ~~Board of~~

~~Aldermen~~City Council shall approve or deny all such requests, except as otherwise provided herein. In the event of a maintenance issue with a bus, a Boston Coach Nova RTS will be used as a substitute until the bus is repaired. These temporary buses seat 33 and stand 15.

3. This license is valid only for the Licensee stated herein and shall not be transferred or otherwise assigned without the prior written approval of the ~~Board of Aldermen~~City Council. In addition, this license shall remain in effect solely for the period that the Licensee continues to operate under contract with Boston College, and shall automatically terminate upon expiration or termination of contract.

4. All diesel powered vehicles operated by Licensee pursuant to this license shall meet the inspection standards of the Registry of Motor Vehicles.

5. Adjustments to Service during the License Term:

~~Aldermanic~~Council Approval: This license is valid for the purpose of inter-campus transportation for Boston College students, employees, and faculty over the routes designated herein. Other than adjustments to regular service as provided in paragraph A, and transportation for special events and athletic or entertainment events as hereinafter provided in paragraph B and C, respectively, of this provision, the Licensee shall not operate vehicles over these routes for any other purpose without first obtaining permission from the ~~Board of Aldermen~~City Council. Except as otherwise provided below, all changes to the regular service shall require the approval of the ~~Board of Aldermen~~City Council, including but not limited to, an increase in the number of vehicles to be used or an increase in the number of round trips per hour of vehicles over and above the numbers previously set forth in this license; a change in an approved route other than a temporary change approved as part of transportation to and from a special event as hereinafter provided in paragraph B; and the use of a new route, other than the temporary use of a new route pursuant to a special event as hereinafter provided in paragraph B.

A. Regular Service:

1. Subsequent to the annual approval of the license, the Licensee shall be authorized to make adjustments to the regular bus service, Monday through Friday, from 7:00 p.m. to 10:00 p.m., provided that any increases in the number of bus round trips shall not exceed the "baseline" as specified in paragraph 2 of this provision and provided that the maximum number of bus round trips per hour shall not exceed 15 round trips per hour. The Licensee shall notify the Director of Planning and Development (hereinafter the "Director") and the Chief of Police (hereinafter the "Chief") within five (5) business days of any adjustment in the number of bus round trips per hour and per week, Monday through Friday, from 7:00 to 10:00 p.m. The Director 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. And other changes to the regular services shall require the approval of the ~~Board of Aldermen~~City Council.

2. Baseline: For the purposes of this provision, Baseline shall be defined as the total number of vehicle round trips per week, Monday through Friday, from 7:00 a.m. to 10:00 p.m. The Baseline shall not include round trips added after the commencement of the License term which commenced *July 1, 2006*. The Baseline number of round trips per week shall be determined annually by the ~~Board of Aldermen~~City Council to be effective as of the date of the commencement of the License term. The Baseline for the ~~2015-2016-2017~~ License Term shall

be as follows: Newton Route, a maximum of 770 round trips per week Monday through Friday, from 7:00 a.m. to 10:00 p.m.

B. Special Events Scheduled After Commencement of License Term:

1. Notice Required: The requirement for advance ~~Aldermanic~~Council approval shall not apply to transportation to or from a special event, not including athletic or entertainment events as hereinafter provided in paragraph C, which event is not scheduled as of the beginning of the license term and which requires the use of not more than two (2) vehicles over a particular route subject to the provisions of this license and which requires no more than three (3) trips per hour on such route. Special events requiring the use of more than 2 vehicles over such route or more than three (3) trips per hour, or the use of more than one route subject to the provisions of this License, or the use of new route shall require the approval of the Director. In addition, for special events requiring the use of ten (10) or more buses, the Licensee shall route all such buses onto the internal roadways or within the boundaries of the Boston College Chestnut Hill and/or Law School Campus and require all such buses to remain within the campus boundaries whenever such buses are idling. Licensee shall also require that all such buses pick up and discharge passengers within the Boston College Chestnut Hill and/or Law School Campus and not on Newton streets.

2. Monthly Approval of Special Events(s) Permit: On or before the 15th of the preceding month, but in any event no less than three weeks prior to any such event, Boston College, on behalf of Licensee, shall provide the Director with a list of temporary or one-time event(s) to be held during the next month which will require the use of more than two (2) vehicles, or more than three (3) round trips per hour or more than one route licensed herein or a route not currently licensed pursuant to this license. Such list shall include the number and type of vehicle(s), frequency of service, bus stop locations and route(s) to be used. Such list shall constitute a request for a monthly event permit, which shall be deemed approved unless denied in writing within 15 days of receipt of said list. Such monthly event permit shall constitute a one-time approval for each event as stated in the permit.

3. Director Approval: In a situation in which the Licensee cannot obtain approval through the monthly approval process as provided in paragraph 2 of this section, the Licensee, or Boston College on behalf of Licensee, may apply to the Director for approval of transportation to and from a special event. The Director shall be authorized to approve transportation to and from a special event upon no less than one week's prior written notice from Boston College on behalf of Licensee, provided, however, that the Director may authorize transportation for no more than two such special events each semester. For the purposes of this provision, a request for approval of transportation to and from a post season hockey or basketball tournament shall not be included in said two request limit. The request for approval of transportation shall contain the number and type of vehicle(s), frequency of service, bus stop locations and route(s) to be used. No later than one week following receipt of such request, the Director shall notify the applicant and the Chief of Police in writing of such approval along with any conditions that may apply including the valid dates of the approval.

C. Transportation for Athletic or Entertainment Events: Transportation for athletic or entertainment events held at Boston College facilities for which tickets are sold may be provided for ticket holders, students, faculty and staff, provided that on or about June 30 of each year of

this license, Boston College, on behalf of the Licensee, shall provide the ~~Board of Aldermen~~City Council with a schedule of such events, and shall also provide for each such event, in a format to be determined by the Board, the proposed routes, proposed number and type of vehicles, proposed frequency of service, and the proposed time and duration of operation, each of which must then be approved by the Board as a special addendum to this license, which addendum shall specify the terms of such events license. Once adopted, modifications to the terms of such addendum must be made in accordance with the applicable provisions of section 5.B of this License.

The approved transportation schedule for ~~Fall 2015~~2016 Varsity Football Games and currently scheduled special events are stated in *Appendix A*, attached hereto and incorporated herein in fulfillment of the above condition for the period ending ~~June 30, 2016~~2017 with the College using school buses with a preference for non-diesel vehicles.

6. A copy of this license shall be issued to the driver of each vehicle and presented upon request to any City of Newton police officer and such other enforcement officials as may be designated by the ~~Board of Aldermen~~City Council, provided that the Licensee shall be notified in writing prior to the designation of such other enforcement officials.

7. TERM: This license renewal is valid beginning ~~July 1, 2015~~2016 and shall expire on ~~June 30, 2016~~2017. Subsequent one-year license renewals shall be granted in the discretion of the ~~Board of Aldermen~~City Council pending satisfactory completion of the provisions of section 8 below.

8. Periodic Review:

(1) No later than ~~November 15, 2015~~2016 and ~~March 15, 2016~~2017 of the License Term, the Licensee shall meet with the ~~Board of Aldermen~~City Council to review any concerns related to the service and shall make such adjustments as deemed necessary by the ~~Board of Aldermen~~City Council. The review shall include the following items:

(a) Nothing in this license shall prevent the College from altering allowed service on Newton Streets around the Chestnut Hill Campus in favor of use of internal roads within the Chestnut Hill Campus during the License term, provided that any proposed left turns across traffic shall first be noticed to the Chief of Police.

(2) Consolidation of Routes: The Licensee shall cooperate with the appropriate committee(s) of the ~~Board of Aldermen~~City Council in determining the appropriateness of consolidating routes and schedules in an effort to reduce and to eliminate excessive service. Consolidation of routes and reduced schedules shall be based on the level of ridership and such other factors as deemed relevant by the appropriate committee(s) of the ~~Board of Aldermen~~City Council and College. If routes are to be consolidated or if the College and the appropriate committee of the ~~Board of Aldermen~~City Council determine that there is a reasonable basis to request schedule reductions, Boston College, on behalf of the Licensee shall provide ridership data in the manner set forth in paragraph 8 (2) of this license.

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

9. Violation of any of the above specific or general conditions shall be cause for revocation of this license in accordance with procedures to be established by the ~~Board of Aldermen~~ City Council.

10. Boston Coach Corporation, Boston College and the officials, trustees, agents, servants and employees of each 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.

11. 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 fining of invalidity.

12. The Chief of Police shall be charged with the enforcement of the provisions of this license.

Under Suspension of Rules

Readings Waived and License Approved

~~20 yeas 0 nays 2 absent (Aldermen Baker and Lappin) 1 recused (Alderman Kalis) 1 vacancy~~

(SGD) DAVID A. OLSON
City Clerk

SGD) SETTID. WARREN
Mayor

Date: _____

154-15(B)

#154-15(B)

CITY OF NEWTON
IN BOARD OF ALDERMEN CITY COUNCIL

~~2015~~

2016

TO BE ISSUED JULY 1, ~~2015~~2016 (TO JUNE 30, ~~2016~~2017)

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

BOSTON COACH CORPORATION

1 Airforce Road
Everett, MA 02149

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

Designated Route:

Boston Route:

Description of Route: (From BC Chestnut Hill Campus) Route begins at the Boston/Newton line on Beacon Street heading west. Turn right onto College Road. Turn right onto Commonwealth Avenue heading east to Boston line.

a. Type of Vehicle(s): Gillig

1. Seating Capacity:

34 Seats plus 32 standees (66 total)

b. Propulsion system: Diesel

c. Days and hours of Operation: **(Fall and Spring Semesters, August 19, 2015 through May 31, 2016)** **[Dates to be inserted]**

1. Monday – Friday: 7:00 a.m. – 2:00 a.m.

2. Saturday/Sunday/Holidays: 8:00 a.m. – 2:00 a.m.

d. Limitation on Total Number of Vehicles and Frequency of Service:

The number of vehicles in service and round trips per hour shall not exceed the limits stated below.

a. Daytime Schedule

Monday – Friday:

7:00 a.m. – 8:00 p.m.

no more than 4 vehicles; no more than 8 round trips

b. Night time Schedule

8:00 p.m. – 2:00 a.m.

no more than 3 vehicles per hour; no more than 6 round trips

c. Saturdays/Sundays/Holidays

8:00 a.m. – 2:00 p.m.:

no more than 2 vehicles per hour; no more than 4 round trips per hour

2:00 p.m. – 2:00 a.m.

no more than 3 vehicles per hour; no more than 6 round trips per hour

d. Stops: Recommended as follows, subject to approval of Police Chief:

1. On public ways:

a. McElroy @ Beacon Street

b. Donaldson @ College Road

c. Commonwealth Avenue @ Main Gate Curb Cut

2. Points of campus entry and exit:

Chestnut Hill: St. Ignatius Gate – entry

Edmonds Gate - exit

3. Other Operating Conditions:

1. The License term for this route shall commence on July 1, ~~2015~~2016 and shall terminate on June 30, ~~2016~~2017 unless renewed by the ~~Board of Aldermen~~City Council, subject to the right of the ~~Board of Aldermen~~City Council to make changes during the license term as conditions may require.

B. General Conditions:

1. The Licensee shall not operate buses or other vehicles on any routes or public ways in Newton other than those designated herein.

2. No changes shall be made in any of the conditions of this license, and, in particular, in the routes, termini, running schedules, stops or vehicles without the prior written consent of the ~~Board of Aldermen~~City Council of the City of Newton. Licensee shall forward all requests for changes to the Clerk of the ~~Board of Aldermen~~City Council in writing. The ~~Board of Aldermen~~City Council shall approve or deny all such requests, except as otherwise provided herein. In the event of a maintenance issue with a bus, a Boston Coach Nova RTS will be used as a substitute until the bus is repaired. These temporary buses seat 33 and stand 15.

3. This license is valid only for the Licensee stated herein and shall not be transferred or otherwise assigned without the prior written approval of the ~~Board of Aldermen~~City Council. In addition, this license shall remain in effect solely for the period that the Licensee continues to

operate under contract with Boston College, and shall automatically terminate upon expiration or termination of contract.

4. All diesel powered vehicles operated by Licensee pursuant to this license shall meet the inspection standards of the Registry of Motor Vehicles.

5. Adjustments to Service during the License Term:

~~Aldermanic Council Approval:~~ This license is valid for the purpose of inter-campus transportation for Boston College students, employees, and faculty over the routes designated herein. Other than adjustments to regular service as provided in paragraph A, and transportation for special events and athletic or entertainment events as hereinafter provided in paragraph B and C, respectively, of this provision, the Licensee shall not operate vehicles over these routes for any other purpose without first obtaining permission from the ~~Board of Aldermen~~ City Council. Except as otherwise provided below, all changes to the regular service shall require the approval of the ~~Board of Aldermen~~ City Council, including but not limited to, an increase in the number of vehicles to be used or an increase in the number of round trips per hour of vehicles over and above the numbers previously set forth in this license; a change in an approved route other than a temporary change approved as part of transportation to and from a special event as hereinafter provided in paragraph B; and the use of a new route, other than the temporary use of a new route pursuant to a special event as hereinafter provided in paragraph B.

A. Regular Service:

1. Subsequent to the annual approval of the license, the Licensee shall be authorized to make adjustments to the regular bus service, Monday through Friday, from 7:00 p.m. to 10:00 p.m., provided that any increases in the number of bus round trips shall not exceed the "baseline" as specified in paragraph 2 of this provision and provided that the maximum number of bus round trips per hour shall not exceed 15 round trips per hour. The Licensee shall notify the Director of Planning and Development (hereinafter the "Director") and the Chief of Police (hereinafter the "Chief") within five (5) business days of any adjustment in the number of bus round trips per hour and per week, Monday through Friday, from 7:00 to 10:00 p.m. The Director 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. And other changes to the regular services shall require the approval of the ~~Board of Aldermen~~ City Council.

2. Baseline: For the purposes of this provision, Baseline shall be defined as the total number of vehicle round trips per week, Monday through Friday, from 7:00 a.m. to 10:00 p.m. The Baseline shall not include round trips added after the commencement of the License term which commences July 1, 2006. The Baseline number of round trips per week shall be determined annually by the ~~Board of Aldermen~~ City Council to be effective as of the date of the commencement of the license term. The Baseline for the ~~2015-2016-2017~~ License Term shall be as follows:

Boston Route: a maximum of 601 round trips per week Monday through Friday, from 7:00 a.m. to 10:00 p.m.

B. Special Events Scheduled After Commencement of License Term:

1. Notice Required: The requirement for advance Aldermanic approval shall not apply to transportation to or from a special event, not including athletic or entertainment events as hereinafter provided in paragraph C, which event is not scheduled as of the beginning of the

license term and which requires the use of not more than two (2) vehicles over a particular route subject to the provisions of this license and which requires no more than three (3) trips per hour on such route. Special events requiring the use of more than two (2) vehicles over such route or more than three (3) trips per hour, or the use of more than one route subject to the provisions of this license, or the use of new route shall require the approval of the Director. In addition, for special events requiring the use of ten (10) or more buses, the Licensee shall route all such buses onto the internal roadways or within the boundaries of the Boston College Chestnut Hill and/or Law School Campus and require all such buses to remain within the campus boundaries whenever such buses are idling. Licensee shall also require that all such buses pick-up and discharge passengers within the Boston College Chestnut Hill and/or Law School Campus and not on Newton streets.

2. Monthly Approval of Special Events(s) Permit: On or before the 15th of the preceding month, but in any event no less than three weeks prior to any such event, Boston College, on behalf of Licensee, shall provide the Director with a list of temporary or one-time event(s) to be held during the next month which will require the use of more than two (2) vehicles, or more than three (3) round trips per hour or more than one route licensed herein or a route not currently licensed pursuant to this license. Such list shall include the number and type of vehicle(s), frequency of service, bus stop locations and route(s) to be used. Such list shall constitute a request for a monthly event permit, which shall be deemed approved unless denied in writing within 15 days of receipt of said list. Such monthly event permit shall constitute a one-time approval for each event as stated in the permit.

3. Director Approval: In a situation in which the Licensee cannot obtain approval through the monthly approval process as provided in paragraph 2 of this section, the Licensee, or Boston College on behalf of Licensee, may apply to the Director for approval of transportation to and from a special event. The Director shall be authorized to approve transportation to and from a special event upon no less than one week's prior written notice from Boston College on behalf of Licensee, provided, however, that the Director may authorize transportation for no more than two such special events each semester. For the purposes of this provision, a request for approval of transportation to and from a post season hockey or basketball tournament shall not be included in said two request limit. The request for approval of transportation shall contain the number and type of vehicle(s), frequency of service, bus stop locations and route(s) to be used. No later than one week following receipt of such request, the Director shall notify the applicant and the Chief of Police in writing of such approval along with any conditions that may apply including the valid dates of the approval.

C. Transportation for Athletic or Entertainment Events: Transportation for athletic or entertainment events held at Boston College facilities for which tickets are sold may be provided for ticket holders, students, faculty and staff, provided that on or about June 30 of each year of this license, Boston College, on behalf of the Licensee, shall provide the ~~Board of Aldermen~~City Council with a schedule of such events, and shall also provide for each such event, in a format to be determined by the Board, the proposed routes, proposed number and type of vehicles, proposed frequency of service, and the proposed time and duration of operation, each of which must then be approved by the Board as a special addendum to this license, which addendum shall specify the terms of such events license. Once adopted, modifications to the terms of such addendum must be made in accordance with the applicable provisions of section 5.B of this License.

The approved transportation schedule for Fall 2015 Varsity Football Games and currently scheduled special events are stated in Appendix A, attached hereto and incorporated herein in fulfillment of the above condition for the period ending June 30, 2016 with the College using school buses with a preference for non-diesel vehicles.

6. A copy of this license shall be issued to the driver of each vehicle and presented upon request to any City of Newton police officer and such other enforcement officials as may be designated by the ~~Board of Aldermen~~City Council, provided that the Licensee shall be notified in writing prior to the designation of such other enforcement officials.

7. TERM: This license renewal is valid beginning July 1, ~~2015~~2016 and shall expire on June 30, ~~2016~~2017. Subsequent one-year license renewals shall be granted in the discretion of the ~~Board of Aldermen~~City Council pending satisfactory completion of the provisions of section 8 below.

8. Periodic Review:

(1) No later than November 15, ~~2015~~2016 and March 15, ~~2016~~2017 of the License Term, the Licensee shall meet with the ~~Board of Aldermen~~City Council to review any concerns related to the service and shall make such adjustments as deemed necessary by the ~~Board of Aldermen~~City Council. The review shall include the following items:

(a) Nothing in this license shall prevent the College from altering allowed service on Newton Streets around the Chestnut Hill Campus in favor of use of internal roads within the Chestnut Hill Campus during the license term, provided that any proposed left turns across traffic shall first be noticed to the Chief of Police.

(2) Consolidation of Routes: The Licensee shall cooperate with the appropriate committee(s) of the ~~Board of Aldermen~~City Council in determining the appropriateness of consolidating routes and schedules in an effort to reduce and to eliminate excessive service. Consolidation of routes and reduced schedules shall be based on the level of ridership and such other factors as deemed relevant by the appropriate committee(s) of the ~~Board of Aldermen~~City Council and College. If routes are to be consolidated or if the College and the appropriate committee(s) of the ~~Board of Aldermen~~City Council determine that there is a reasonable basis to request schedule reductions, Boston College, on behalf of the Licensee shall provide ridership data in the manner set forth in paragraph 8(2) of this license.

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

9. Violation of any of the above specific or general conditions shall be cause for revocation of this license in accordance with procedures to be established by the ~~Board of Aldermen~~City Council.

10. Boston Coach Corporation, Boston College and the officials, trustees, agents, servants and employees of each 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.

11. 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 fining of invalidity.

12. The Chief of Police shall be charged with the enforcement of the provisions of this license.

Under Suspension of Rules

Readings Waived and License Approved

~~20 yeas 0 nays 2 absent (Alderman Baker and Lappin) 1 recused (Alderman Kalis) 1 vacancy~~

(SGD) DAVID A. OLSON

City Clerk

Mayor

(SGD) SETTI D. WARREN

Date: _____

APPEAL OF TRAFFIC COUNCIL DECISION
CITY OF NEWTON TRAFFIC COUNCIL, ROOM 105
1000 COMMONWEALTH AVENUE
NEWTON CENTRE, MA 02459

This form shall be completed by residents or a City Councilor who wish to appeal a Traffic Council decision. This form must be completed and filed with the City Clerk within twenty (20) calendar days of the Traffic Council vote. Requirements for signatures in the matter of appeals are described in Sec.19-33 and 19-34 of the Revised Ordinances of the City of Newton, 2007, as amended by Ordinance Z-12. The Appellant and other parties who may in the Council's judgment be substantially affected by such petition will be notified with the first date the petition will be discussed by the City Council. Note: There are additional appeal requirements for Resident Only Permit Areas; see Sec. 19-201 of the City of Newton Ordinances. If you have further questions, please call the Clerk of the City Council's Office at (617)796-1210.

Complete both sides and submit to the Clerk of the City Council's Office (PLEASE PRINT):

APPELLANT'S NAME: Ted Hess-Mohan SIGNATURE: [Signature]
ADDRESS: 871 Watertown St. West Newton MA Unit #
TELEPHONE (DAY): 508-847-4855 (EVENING): Same

PETITION #: TC - 56-15

REASON FOR APPEAL:
on behalf of business owners in West Newton
square who request that the number of
15-minute spaces be reduced or eliminated
and 1-hour parking restriction be restored.

RECEIVED
NEWTON CIVIL ENGINEER
2016 MAR -4 AM 10:14
DAVID A. CHAMBERLAIN
NEWTON, MA 02459



PUBLIC SAFETY & TRANSPORTATION COMMITTEE MEETING NOTICE

Dear Resident:

The Public Safety & Transportation Committee of the City Council will be discussing the following item, which may be of interest to you, at its next meeting on Wednesday, June 22, 2016 at 7:00 p.m. in Room 205, Second Floor, City Hall. The meeting is open to the public and if you would like further information on the item, you are encouraged to attend.

#106-16 Appeal of Traffic Council Decision of new parking regulations on Chestnut Street

COUNCILOR HESS-MAHAN, appealing the Approval of TC56-15 Traffic Council Decision on February 25, 2016: 15-minute parking zone, 8:00 a.m. to 5:00 p.m. in front of 25 Chestnut Street. Requesting on behalf of business owners 1) Reduce or eliminate the five approved 15-minute parking spaces. 2) Reinstate the one-hour limit, west side, 7:00 a.m. to 6:00 p.m. (Ward 3) [Appeal filed 03/04/16]

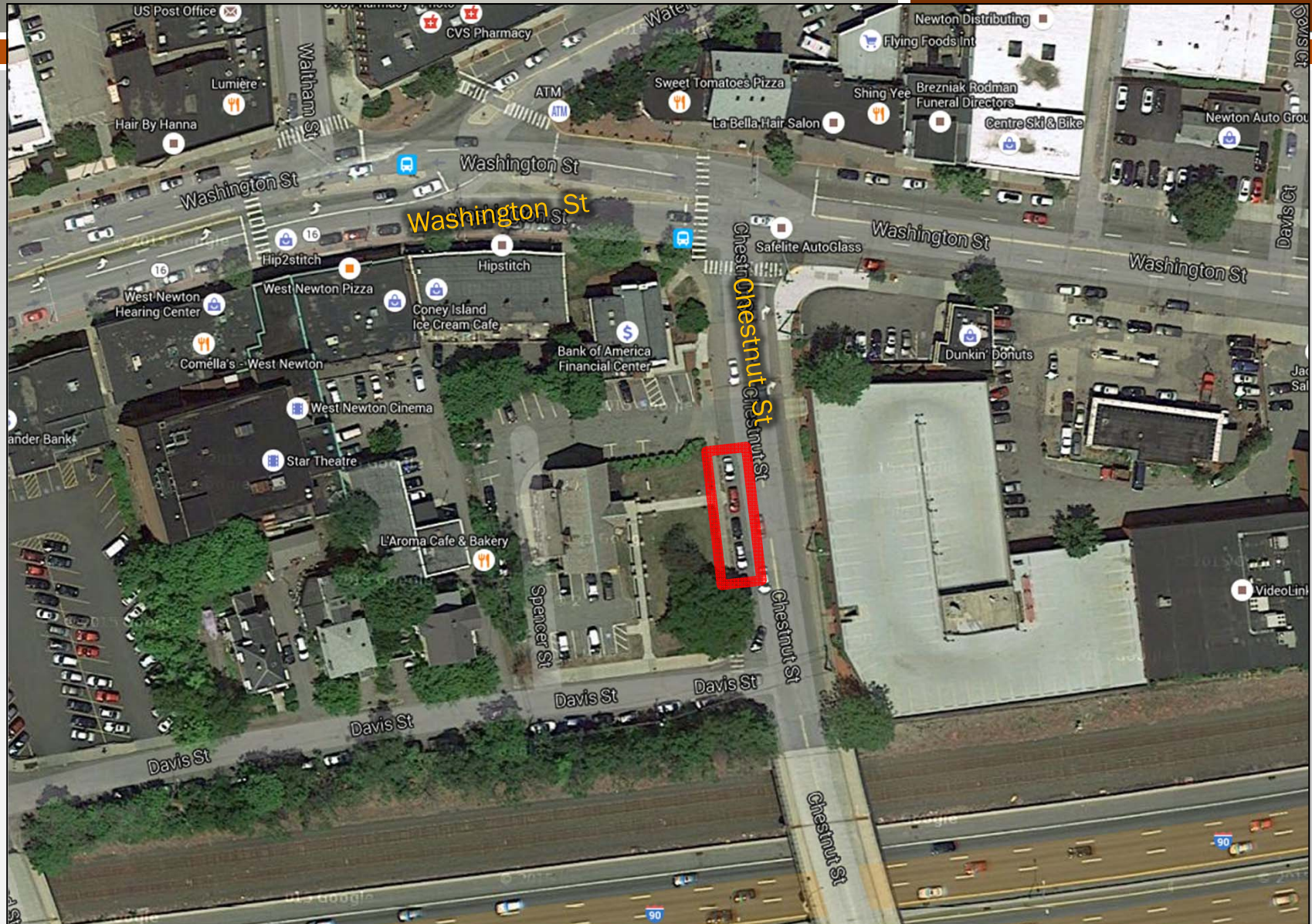
If you are unable to attend this meeting but would like to offer comments in writing for consideration, please forward your comments to the Office of the City Council, 1000 Commonwealth Avenue, Newton Centre, 02459 or e-mail to Danielle Delaney at ddelaney@newtonma.gov by Wednesday, June 15, 2016 reflecting docket item number #106-16.

Sincerely,

Danielle Delaney
Committee Clerk
Public Safety & Transportation Committee

Location Map — 25 Chestnut Street

TC56-15



Chestnut Street photos

TC56-15



2.25.16

Parking restrictions & characteristics

25 Chestnut Street

TC56-15

- Old Restriction: 1 hour limit 8AM to 6PM
- Proposed Restriction: 15 minute limit 8AM to 5PM, except Saturdays, Sundays and Holidays
- Reason for the change:
 - Additional use of the Traffic Bureau by Newton residents
 - Parking Clerk relocation – average 20-25 visitors/day
 - Increased Permit activity – average 20-35 residents/day

CITY OF NEWTON

IN CITY COUNCIL

TRAFFIC COUNCIL REPORT

THURSDAY, JANUARY 21, 2016

Present: David Koses, Traffic Council Chair; Sgt. Jay Babcock, Newton Police Department; Alicia Wilson, Resident member; Gloria Son, Traffic Engineer and Councilor Ciccone
Also Present: Councilors Lappin, Rice, Yates, Blazar, Norton, Albright, Hess-Mahan and Crossley
City Staff: David Olson, Clerk of the Council

Mr. Koses provided a PowerPoint presentation on these items, attached to this report.

TC56-15 DAVID KOSES, TRANSPORTATION COORDINATOR, requesting a change to the parking regulations on Chestnut Street between Washington Street and Davis Street. (Ward 3) [11/18/15 @ 3:13 PM]

ACTION: **HELD 5-0, Pending draft Traffic and Parking Regulation (TPR) to approve 15-minute parking zone, 8:00 a.m. to 5:00 p.m. in front of 25 Chestnut Street.**

NOTE: Mr. Koses provided Council members with site photos, old and proposed parking restrictions and characteristics in front of 25 Chestnut Street, Newton Police Department Traffic Bureau Division.

Mr. Koses said that the area in front of 25 Chestnut Street is 92 feet long, approximately five parking spaces. The previous restriction was a one-hour limit, all days, 8:00 a.m. to 6:00 p.m. The temporary restriction is a 15-minute limit, 8:00 a.m. to 5:00 p.m. The temporary restriction was implemented due to the increase of additional visitors and residents to the Traffic Bureau conducting business. Most recently, the Parking Clerk was relocated from City Hall; residents are purchasing their parking permits and paying parking violations. Mr. Koses recommends making the temporary restriction permanent in front of 25 Chestnut Street.

Mr. Koses opened the discussion to members of the public who were present. Residents and merchants expressed their concerns and suggestions.

Concerns:

A merchant stated that a 15-minute time limit does not allow patrons to shop or dine. A resident said that the meters on Washington Street appear fully occupied in the morning. A resident said that the five parking spaces are rarely at capacity. It is concerning to hear, that customers may shop elsewhere.

Suggestions:

A merchant suggested reverting the restriction back to the one-hour limit, all merchants, residents and shoppers would benefit. A resident suggested making changes to only one or two of the parking spaces in front of 25 Chestnut Street.

Councilor Hess-Mahan stated that once the temporary restriction was implemented he began receiving complaints from merchants regarding lack of business parking. He visited twenty different merchants on Washington Street from Chestnut Street to Elm Street. All merchants agree that parking is a hardship for themselves and patrons. To be proactive, he worked with the Planning Department to create a map of available parking locations and handed them out to merchants and customers. He then stated that he would support one or two 15-minute parking spaces, hopeful to strike a balance. Councilor Albright and Norton stated that they would support one or two 15-minute parking spaces.

Sgt. Babcock stated that there are approximately 75 visitors to the building, daily. Residents also visit to pay fines for violating the winter parking ban. It is necessary to make the temporary parking restriction permanent for the Traffic Bureau Division.

Sgt. Babcock suggested creating the approximate twenty parking spaces on Davis Street to a one or two-hour limit, eastbound side, from Highland Avenue to Spencer Street to deter commuter parking, allow turnover for businesses, shoppers and diners. Merchants and residents stated that they support Sgt. Babcock's suggestion. Councilor Hess-Mahan agreed to docket an item for Davis Street.

Clerk's Note: As suggested, on January 22, 2016, Councilor Hess-Mahan docketed a petition requesting to restrict parking to a one-hour limit eastbound side of Davis Street from Highland Avenue to Spencer Street to deter commuter parking and allow turnover.

Without further discussion, Councilor Ciccone made a motion to hold this item, pending draft Traffic and Parking Regulation (TPR) to approve 15-minute parking zone, 8:00 a.m. to 5:00 p.m. in front of 25 Chestnut Street. Council members agreed 5-0.

Respectfully submitted,

David Koses, Transportation Coordinator
Traffic Council Chair

CITY OF NEWTON

IN CITY COUNCIL

TRAFFIC COUNCIL REPORT

THURSDAY, FEBRUARY 25, 2016

Present: David Koses, Acting Traffic Council Chair; Sgt. Jay Babcock, Newton Police Department; Alicia Wilson, Resident member and Councilor Blazar

Absent: Gloria Son, Traffic Engineer

Also Present: Councilors Crossley, Hess-Mahan, Ciccone and Danberg

Mr. Koses provided a PowerPoint presentation on these items, attached to this report.

TC56-15 DAVID KOSES, TRANSPORTATION COORDINATOR, requesting a change to the parking regulations on Chestnut Street between Washington Street and Davis Street. (Ward 3) [11/18/15 @ 3:13 PM]
HELD 5-0 on 01/21/16. Pending draft Traffic and Parking Regulation (TPR) to approve 15-minute parking zone, 8:00 a.m. to 5:00 p.m. in front of 25 Chestnut Street.

ACTION: APPROVED 4-0. Approved TPR language.

NOTE: Council members were provided with a draft Traffic and Parking Regulation (TPR) for review.

Without discussion, Mr. Koses made a motion to approve the draft TPR. Council members agreed 4-0. Mr. Koses stated that this item may be appealed through the close of business on March 16, 2016.

CITY OF NEWTON

TRAFFIC & PARKING REGULATION

TPR NO. 236

February 25, 2016

In accordance with the vote of the Traffic Council on February 25, 2016:

The City of Newton Traffic & Parking Regulations, as established in Ordinance Z-16, dated December 3, 2007, as amended, be further amended as follows:

Sec. TPR-176. Parking regulations pertaining to particular streets., delete the following:

Chestnut Street

(5) One-hour limit, west side, 7:00 a.m. to 6:00 p.m., from Davis Street northerly 130 feet.

Sec. TPR-176. Parking regulations pertaining to particular streets., insert the following:

Chestnut Street

(5) 15 minute limit, 8:00 a.m. to 5:00 p.m., west side, from Davis Street northerly 130 feet.

Approved as to legal form and character:

(SGD) DONNALYN B. LYNCH KAHN
City Solicitor

(SGD) DAVID A. OLSON
City Clerk