

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE REPORT

WEDNESDAY, JUNE 4, 2014

Present: Ald. Ciccone (Chair), Fuller, Cote, Lipof, Yates, Schwartz, Harney and Johnson
City Staff: David Koses, Transportation Planner and Officer Rocco Marini, Newton Police Department
Others Present: Frank Stearns, K&L Gates, LLP; P.J. Cappadona, Transportation and Parking Manager, Boston College; and Alicia Wilson

Appointment by His Honor the Mayor

#160-14 ALICIA WILSON, 77 Elinor Road, Newton Highlands, appointed as the resident member of the TRAFFIC COUNCIL pursuant to Section 19-25(i) of the City of Newton Revised Ordinances, 2012 for a term to expire on April 15, 2017. (60 days 07/04/14) [04/23/14 @ 4:09 PM]

ACTION: **APPROVED 7-0, Ald. Schwartz not voting**

NOTE: Ms. Wilson joined the Committee for discussion on this item.

Ms. Wilson said that she has been a Newton resident since 1979. Ms. Wilson holds a Master's Degree in Regional Planning from The University of North Carolina at Chapel Hill. She has approximately 38 years of transportation and planning experience. Her experience includes traffic operations analysis, program evaluation, corridor planning studies, survey development, demographic analysis and transit planning. Ms. Wilson is employed by the Central Transportation Planning Staff, which is the staff to the Boston Region Metropolitan Planning Organization (MPO). Ms. Wilson is currently a member of the Certifications Activities Group and manages the Transportation Equity Program. Projects in Newton include the Newton Corner Study, Washington Street Corridor, Dedham Street Study and the Route 9 Study between the Town of Brookline and Woodward and Elliott Streets.

The Committee members thanked Ms. Wilson for her willingness to serve the community in this capacity. Without discussion, Ald. Johnson moved approval of the item. Committee members agreed 7-0, Ald. Schwartz not voting.

#213-14A&B BOSTON COACH TRANSPORTATION request for annual renewal of the Boston College Bus Licenses. There are no changes proposed to last year's licenses. [05/22/14 @ 3:19 PM]

ACTION: **APPROVED AS AMENDED 7-0, Ald. Harney not voting**

NOTE: Mr. Stearns and Mr. Cappadona joined the Committee for discussion on this item.

Mr. Stearns spoke briefly about the Boston College bus service. There are two inter-campus bus routes used primarily for students and staff. Mr. Cappadona is responsible for the fleet, keeps track of the utilization and receives concerns, if any from citizens and students.

Mr. Stearns stated that last year, the Public Safety & Transportation Committee suggested that Boston College consider extending their routes to and from Newton Centre feeling the service would be very beneficial to students. Students supported the new route expansion. Mr. Cappadona stated that he has only received positive feedback from the students. Approximately 50-100 passengers use the shuttle service each Sunday to and from Newton Centre.

Mr. Stearns stated since this route has proven to be successful; Boston College is interested in extending their Newton Centre Shuttle Route to include Mondays through Friday, 7:00 pm to 8:00 pm. Students would be dropped off at 7:00 pm and picked up at 8:00 pm.

Committee members agreed and felt that one hour was not a sufficient amount of time to allow for dinner, shopping, etc. They then suggested extending the time to 9:00 pm. Mr. Stearns and Mr. Cappadona welcomed their suggestion and agreed.

Ald. Fuller asked them to consider extending their routes to include different areas of Newton Centre, Chestnut Hill Square and "The Street". She feels the service would be very beneficial.

Ald. Ciccone stated zero complaints were received the past year. He then asked if Boston College continues to use environmental friendly buses. Mr. Cappadona answered yes; and anticipates adding two vehicles to the fleet this academic year.

Without further discussion, Ald. Fuller made the motion to approve as amended draft Board Order # 213-14(A), page 4, section b. **Days and hours of operation** (Fall and Spring semesters, August 18, 2014 through May 31, 2015) **FROM:** Sundays only 12 p.m. to 6:00 p.m. **TO:** Sundays 12 p.m. to 6:00 p.m. **AND** 7:00 p.m. to 9:00 p.m., Monday through Friday. Council members agreed 7-0, Ald. Harney not voting.

#187-14 POLICE DEPARTMENT, submitting reports of semi-annual taxi license/public auto inspections for review. [05/14/14 @ 12:37 PM]

ACTION: **APPROVED 7-0, Ald. Harney not voting**

NOTE: Officer Marini joined the Committee for discussion on this item. Committee members were provided with a copy of the semi-annual inspection report, dated May 28, 2014, attached to this report. The report reflects current information regarding business addresses and business phone numbers as requested by Committee members in June 2013.

Officer Marini explained the process of taxi and public auto vehicle inspections. He said that the Police Department completes their inspection each March and October. Each inspection includes an interior and exterior inspection of the vehicle for appearance, cleanliness, and mechanical fitness. If a vehicle fails an inspection, the company has two weeks to correct the problem and have the vehicle re-inspected in two weeks. The City of Newton Ordinance requires the replacement of vehicles when the vehicle is ten years old or older. In November

2011, the Board of Aldermen approved an ordinance requiring all taxis in the City display a vehicle identification card, issued by the Chief of Police bearing the owner's name, telephone number and the medallion number of the taxi in the passenger compartment of each taxi, visible to passengers at all times.

Officer Marini reported that all vehicles passed inspection and he recommends approval for those public autos and taxi medallions. Committee members were pleased all vehicles passed. Officer Marini said that the inspections are tighter and that the Police and Law Departments are in the process of modifying the *Vehicles for Hire* section of the City Ordinance including proposals to increase some fees.

Ald. Yates made the motion to approve this item. Committee members agreed 7-0, Ald. Harney not voting.

At approximately 8:20 pm, the Committee adjourned.

Respectfully submitted,

Allan Ciccone, Jr. Chairman



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#160-14
Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089

E-mail
swar@newtonma.gov

David A. Olson, CMC
Newton, MA 02459

2014 APR 23 PM 4:09

RECEIVED
Newton City Clerk

April 23, 2014

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

Ladies and Gentlemen:

I am pleased to appoint Alicia Wilson of 77 Elinor Road, Newton as a member of the Traffic Council. Her term of office shall expire April 15, 2017 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

77 Elinor Road
Newton, MA 02461
March 7, 2014

Mr. David Koses, AICP
Transportation Planner, City of Newton
1000 Commonwealth Avenue
Newton, Massachusetts 02159

Dear David,

I am interested in serving as a citizen representative on the Newton Traffic Council. I have been a Newton resident since 1979 and have approximately 38 years of transportation planning experience. My experience includes traffic operations analysis, program evaluation, corridor planning studies, survey development, demographic analysis, and transit planning.

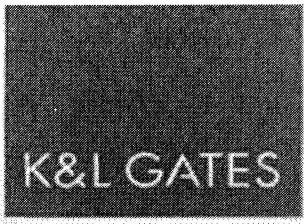
I am employed by the Central Transportation Planning Staff which is the staff to the Boston Region Metropolitan Organization. I am currently a member of the Certifications Activities Group and manage the Transportation Equity Program. Examples of the many other projects I have managed include:

- The Newton Lower Falls/Wellesley Subarea Study that assessed traffic volumes and patterns within the study area
- A study to determine the safety implications of using highway shoulders as travel lanes
- A study to determine the factors that predict higher utilization rates at park-and-ride lots
- A Route 109 Corridor Planning Study
- An I-90 Interchange 17 (Newton Corner) Traffic Patterns and Operational and Safety Improvements Study.

Please let me know if you need additional information.

Yours truly,

Alicia Wilson



May 22, 2014

Franklin G. Stearns
D 617.951.9275
F 617.261.3175
franklin.stearns@klgates.com

Alderman Allan Ciccone, Jr.
Chairman
Public Safety and Transportation Committee
Board of Aldermen
22 West Street
Newton, MA 02458

Re: Boston College Bus Licenses - July 1, 2014 to June 30, 2015

Dear Alderman Ciccone:

This is the annual request from Boston College for the renewal of the Boston College Bus Licenses. There are no changes to the substance of Licenses as approved last year.

Sincerely,

Franklin G. Stearns

FGS:kw

cc: Members, Public Safety & Transportation Committee
Alderman Scott Lennan, President, Board of Aldermen
Alderman Lisle Baker
Alderman Marc Lorado
Alderman Ruthanne Fuller
Linda Finucane, Assistant City Clerk
Danielle Delaney, Committee Clerk
Joseph Herlihy, Esq., General Counsel

RECEIVED
Newton City Clerk
2014 MAY 22 PM 3:19
David A. Oison, CMC
Newton, MA 02459

Alderman Allan Ciccone, Jr.
May 22, 2014
Page 2

Howard A. Levine, Esq.
Thomas Keady
Jeanne Levesque
P.J. Cappadona
Linda Riley

CITY OF NEWTON
IN BOARD OF ALDERMEN

June 17, 2013

TO BE ISSUED JULY 1, 2013 (TO JUNE 30, 2014)

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

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, 2013 through May 31, 2014)**

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, 2013 through May 31, 2014)**

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, 2013 – September 4, 2013)**: 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, 2013 – August 18, 2013) 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, 2013 through May 31, 2014) Sundays only, 12 p.m. to 6:00 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, 2013 and shall terminate on June 30, 2014** unless renewed by the Board of Aldermen, subject to the right of the Board of Aldermen to make changes during the license term as conditions may require.

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 of the City of Newton. Licensee shall forward all requests for changes to the Clerk of the Board of Aldermen in writing. The Board of Aldermen 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. 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 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. Except as otherwise provided below, all changes to the regular service shall require the approval of the Board of Aldermen, 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.

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 to be effective as of the date of the commencement of the License term. The Baseline for the **2013-2014** 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 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 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 2013 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, 2014** 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, 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, 2013** and shall expire on **June 30, 2014**. Subsequent one-year license renewals shall be granted in the discretion of the Board of Aldermen pending satisfactory completion of the provisions of section 8 below.

8. Periodic Review:

(1) No later than **November 15, 2013** and **March 15, 2014** of the License Term, the Licensee shall meet with the Board of Aldermen to review any concerns related to the service and shall make such adjustments as deemed necessary by the Board of Aldermen. 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 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 and College. If routes are to be consolidated or if the College and the appropriate committee of the Board of Aldermen 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.

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 finding 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

21 yeas ~~0~~ nays 1 absent (Alderman Lappin) 1 excused (Alderman Kalis) 1 vacancy



(SGD) DAVID A. OLSON

City Clerk



SGD) SETTI D. WARREN

Mayor

Date: 7/3/0

Appendix A

Approved Fall 2013 Varsity Football Schedule

Aug. 31	VILLANOVA
Sept. 6 (Fri.)	WAKE FOREST, 8:00 p.m.
Sept. 28	FLORIDA STATE
Oct. 5	ARMY
Nov. 2	VIRGINIA TECH
Nov. 16	NC STATE

CITY OF NEWTON
IN BOARD OF ALDERMEN

June 17, 2013

TO BE ISSUED JULY 1, 2013 (TO JUNE 30, 2014)

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

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, 2013 through May 31, 2014)**
 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, 2013** and shall terminate on **June 30, 2014** unless renewed by the Board of Aldermen, subject to the right of the Board of Aldermen 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 of the City of Newton. Licensee shall forward all requests for changes to the Clerk of the Board of Aldermen in writing. The Board of Aldermen 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. 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 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. Except as otherwise provided below, all changes to the regular service shall require the approval of the Board of Aldermen, 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.

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 to be effective as of the date of the commencement of the license term. The Baseline for the **2013-2014** 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 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 2013** 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, 2014** 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, 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, 2013** and shall expire on **June 30, 2014**. Subsequent one-year license renewals shall be granted in the discretion of the Board of Aldermen pending satisfactory completion of the provisions of section 8 below.

8. Periodic Review:

(1) No later than **November 15, 2013 and March 15, 2014** of the License Term, the Licensee shall meet with the Board of Aldermen to review any concerns related to the service and shall make such adjustments as deemed necessary by the Board of Aldermen. 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 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 and College. If routes are to be consolidated or if the College and the appropriate committee(s) of the Board of Aldermen 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.

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 finding 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

21 yeas 0 nays 1 absent (Alderman Lappin) 1 excused (Alderman Kalis)



(SGD) DAVID A. OLSON
City Clerk



SGD) SETTI D. WARREN
Mayor

Date: 7/13/13

Appendix A
Approved Fall 2013 Varsity Football Schedule

Aug. 31	VILLANOVA
Sept. 6 (Fri.)	WAKE FOREST, 8:00 p.m.
Sept. 28	FLORIDA STATE
Oct. 5	ARMY
Nov. 2	VIRGINIA TECH
Nov. 16	NC STATE

This list reflects current information regarding business address and business phone

Taxi/Public Auto List

Semi-annual taxi license/public auto inspections

prepared by Officer Rocco Marini on 05/28/14

Company and Business Address	Contact and Business Phone	Medallion	Pass/Fail
Veterans Taxi of Newton, LLC. 224 Calvary Street Waltham, MA 02453	Michael Antonelis 781-693-5300	Medallions 1-29,66-85(Total 49) PA 2,3,11,12 (Total 4)	PASSED
Newton Yellow Cab, Inc. 25 Border St Newton, MA 02465	Richard Johnston 617-332-7700	Medallions 30-49 (Total 20)	PASSED
Holden's Taxi, Inc. 50 Union St Newton, MA 02459	George Marry 617-244-2404	Medallions 59, 60, 61	PASSED
Newtonville Cab Co., Inc. 50 Union St Newton, MA 02459	George Marry 617-244-2404	Medallions 54, 55	PASSED
Newton Taxi Co. 50 Union St Newton, MA 02459	George Marry 617-244-2404	Medallions 56,57,58	PASSED
Newton Luxury Cab 77 Cedar St Boston, MA 02119	Mohamed Saidi 617-293-4300	Medallion 65	PASSED
Newton Town Taxi 4 Cedar St #405 Wellesley, MA 02481	Anis Lahiani 617-244-7444	Medallion 53	PASSED
Newton Metro Cab 1359 Centre Street Newton, MA 02459	Ahcene Touri 617-332-8294	Medallion 52	PASSED
Beantown Carriage LLC PO Box 42 90 Oak St. 4 th floor Newton, MA 02464	Yekaterina Portnaya 617-828-5646	PA 7	PASSED
Crystal Lake Express 15 Moreland Ave Newton, MA 02459	Dorothy Dundas 617-510-0336	PA 6	PASSED

Weldon Group, Inc. 253 Riverview Ave Newton, MA 02466	Jerald Robbins 617-928-1888	PA 4,5,9,10	PASSED
Don's Car Service 395 Lexington Street Auburndale, MA 02466	Donald LaPlante 617-962-4446	PA 14	PASSED
Newton Car Service 12 Appleton Street Waltham, MA 02453	Hamdi Tlili 617-244-9044	PA 8	PASSED
Newton Coach, Inc. 275 Grove Street, Suite 2-400, Auburndale, MA 02466	David Newcomb 857-272-6224	PA 16	PASSED
Newton Cab 72 Beaver Street, Waltham, MA 02453	Medhi Haoulani 617-332-1322	Medallions 62, 63, 64	PASSED