

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE REPORT

WEDNESDAY, DECEMBER 5, 2012

Present: Ald. Ciccone (Chair), Swiston, Yates, Fuller, Schwartz, Harney and Kalis

Absent: Ald. Johnson

Also Present: Ald. Linsky

City Staff: Chief Bruce Proia, Newton Fire Department; Tom Lopez, Newton Fire Department Union; David Koses, Transportation Planner; Captain Marc Gromada, Sgt. Jay Babcock and Officer Rocco Marini, Newton Police Department; David Turocy, Commissioner Department Public Works; and Bill Paille, Director of Transportation

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#414-12 HIS HONOR THE MAYOR requesting that the sum of one million dollars (\$1,000,000) be appropriated from bonded indebtedness for the purpose of purchasing a new ladder truck for the Newton Fire Department to replace Fire Ladder #1. [11/27/12 @ 12:45 PM]

ACTION: **APPROVED 5-0, Ald. Schwartz and Harney not voting**

NOTE: Chief Proia and Tom Lopez joined the Committee for discussion on this item.

Chief Proia said that this appropriation would allow the department to purchase a new 110' aerial ladder truck replacing Fire Ladder #1, a sixteen year-old vehicle. If this appropriation is approved Ladder #1 would become a spare. The National Fire Protection Association (NFPA) standard requires the first line apparatus be no older than fifteen years. The standard age for a spare is twenty-five years. Currently, there are no spare ladder trucks. Chief Proia then said that his future request would be to replace Pumper Truck Engine #1, a thirteen year-old vehicle, which will exceed life expectancy in 2014. This request is in the CIP 2013 at an estimated cost of \$600,000.

Mr. Lopez said that he supports this request and encourages the Committee to approve this.

Ald. Yates moved to approve this item. Committee members agreed 5-0, Ald. Schwartz and Harney not voting.

#337-12 ALD. LINSKY, CICCONE, ALBRIGHT & JOHNSON, requesting authorization for the installation of a bicycle corral adjacent to 321 Walnut Street, Newtonville. [10/11/12 @ 8:18 PM]

HELD 6-0, Ald. Kalis not voting on 11/07/12

ACTION: **HELD 7-0**

NOTE: Ald. Linsky, Sgt. Babcock, Captain Gromada, David Koses and Bill Paille joined the Committee for discussion on this item.

Chair Ciccone said that this request should be referred to the Finance Committee for their consideration of funding, preferably for an anticipated date for installation in spring 2013. One email was received supporting this request, attached to this report.

Mr. Paille provided Committee members with a PowerPoint presentation, attached to this report. He provided several bike corral options including estimated costs and revenue and a location map including proposed areas for bike corral consideration. He said that ideal locations for a bike corral include Washington Park at Walnut Place or Madison Avenue at Walnut Street, near the crosswalks. In July 2012, Traffic Council approved removal of two meters on Walnut Street to improve visibility, discourage parking and provide pedestrian safety with the intention of installing a bike corral.

Ald. Linsky summarized Traffic Council's actions and the reasons for the appeal. He said that it is important to create alternative uses in areas where parking is removed. He previously supported a bike corral trial to determine if it would be beneficial. Since October, he has heard negative comments from merchants opposing the idea of a bike corral because they are concerned that the proposed area will become a 'hangout'. He respects their concerns. He requests that this item be considered for a trial or pilot. Ald. Linsky then said that he feels Newtonville is an underutilized location because bicyclists are parking away from the village center.

Committee members expressed their concerns, questions and suggestions. They asked if an alternate use for the area would be considered when the bike corral is removed for winter months to make the area appealing to merchants. Mr. Paille said that if the trial does not work the corral could be located to another location. Mr. Koses said that there are fewer racks in Newtonville because of the narrow sidewalks and it would be difficult to determine the best location. He then said that the corral would have to be ordered in February for an April installation. Committee members then suggested working with the merchants, bicyclists and the community to determine the best location in the village. Ald. Linsky agreed and suggested forming a subcommittee to work with the merchants to determine the best location.

Chair Ciccone opened the discussion to members of the public. Residents said that bike corrals are beneficial because they offset parking, open sidewalks and allow better site distances. They said that the best chance for success is to locate the bike corral at Madison Avenue and Walnut Street. In other cities, merchants were first opposed to bike corrals and are now favoring them because they enhance business. A member of Beautiful Newtonville said that the organization of residents, businesses, property owners and nonprofits are committed to revitalizing the village. A resident survey was developed to revitalize the village in collaboration with the City expressing concerns and interests. He suggests holding this item as a pilot until the survey is complete. Committee members asked if the survey included consideration of corrals and if a follow-up survey would be conducted. One resident said that he feels locations proposed are in the most opportune place and encourages a trial. Members of the Pedestrian Task Force said that they are in favor of corrals, support locations proposed because it allows pedestrian safety, better

visibility and would benefit the village center. They then said they are hopeful a corral will be implemented because it encourages biking.

Captain Gromada said that the Police Memorial Association received a \$1,000 donation from a film production company. The association is willing to donate this money to the City to help defray the purchase cost of a bike corral.

Sgt. Babcock suggested a pilot of the corral on Highland Avenue at Walnut Street, in the location of the four parking spaces. This area would not impose on the merchants and a pilot would determine if the corral would be beneficial. When the corral is removed for the winter months, parking could resume.

Chair Ciccone suggested to those interested in joining the subcommittee to coordinate with Ald. Linsky to determine the following:

- Would a pilot be appropriate.
- Best location needs to be determined.
- Discuss proposal with bicyclists, merchants and pedestrians.
- Provide feedback to this Committee.

Ald. Swiston moved hold pending this information. Committee members agreed 7-0.

#146-12 DIRECTOR OF PLANNING & DEVELOPMENT, requesting possible amendment to Chapter 19 to allow the Commissioner of Department of Public Works to restrict parking up to 10 feet away from crosswalks. [05/14/12 @ 4:06 PM]

HELD 7-0 on 5/23/12

HELD 7-0 on 10/03/12

ACTION: **HELD 7-0**

NOTE: One email was received supporting this request, attached to this report.

Sgt. Babcock, Bill Paille, Commissioner Turocy and David Koses joined the Committee for discussion on this item.

Mr. Paille provided Committee members with a PowerPoint presentation, attached to this report. Mr. Paille said that this amendment would be for existing and future crosswalks that may have safety issues. Chair Ciccone said that the amendment should be for future crosswalks.

Committee members were provided with an updated memorandum dated December 5, 2012, attached to this report. The memorandum requests an “ordinance change which would allow the Commissioner of Public Works authority to restrict parking for up to 25 feet away from crosswalks for all types of on-street parking within 25 feet of a crosswalk as necessary to protect public safety”. “We propose that the extent of parking to be removed at any given location be determined based on an engineering study using commonly accepted standards for gauging the length of unobstructed sight lines necessary to protect public safety, and shall consider such

factors as street geometry, automobile speeds and volume, and visual distractions”. “The Commissioner presently has authority to restrict any type of parking within 50 feet of an intersection, and may direct the removal of loading zones, blue zones, parking meters and handicap spaces”.

Committee members expressed their concerns, questions and suggestions. They suggested holding this item for draft ordinance language. A suggestion was made that the Police Department, DPW and the Board form a subcommittee to study the proposal, study the process and to understand the implications. Committee members then said that there are many crosswalks that allow parking within 25 feet, which is unsafe and asked if there is a safety standard. They asked if an appeals provision would be implemented on such removals decided by the Commissioner. They then asked if traffic speed could be reduced. Chair Ciccone said that this request would have to be requested from the state.

Sgt. Babcock said that the Police Department reviews the facts and determines if parking should be eliminated due to citizen, Police and Fire Departments public safety concerns. The ‘review process’ determines and imposes a parking restriction process in collaboration with the DPW and Engineering Departments. In the end, he is hopeful the correct decision was made. Commissioner Turocy agreed that it is a collaborative effort. The intent after an issue is identified is to rectify the problem perhaps by eliminating parking. A written notice to the Board of Aldermen at least thirty days before removing such parking spaces would allow them time to discuss the proposed changes with all concerned.

Chair Ciccone suggested this item be re-docketed reflecting proper language. Committee members agreed. They suggested Commissioner Turocy and Sgt. Babcock’s comments be reflected in an updated memorandum. Ald. Fuller moved approval, subject to second call pending these requests. Committee members preferred to hold this item for the following information:

- Draft ordinance language.
- Update docket language.
- Consideration of an appeal process.
- Updated memorandum reflecting Commissioner Turocy and Sgt. Babcock’s comments.

Chair Ciccone polled the Committee with a straw vote requesting this item be held pending the above requested information. Committee members agreed 7-0.

Committee Clerk’s Note: This docket item may be amended to reflect the following:
DIRECTOR OF PLANNING & DEVELOPMENT, requesting possible amendment to Chapter 19 to allow the Commissioner of Department of Public Works to restrict parking *up to 25 feet* away from crosswalks.

#392-12 **ALD. FULLER & SCHWARTZ,** requesting a review of **Sec. 19-333. Number of licenses.** the City issues annually for both taxis and public autos. [11/13/12 @ 5:16 PM]

ACTION: **NO ACTION NECESSARY 7-0**

NOTE: Sgt. Babcock, Captain Gromada and Officer Marini joined the Committee for discussion on this item.

Sgt. Babcock said that he would support an increase for public auto licenses. Compared to neighboring communities, Newton's fees are well below normal for public autos, limousine, van and bus licenses. An increase and standard fee practice are necessary for public autos, limousines and taxi licenses. Sgt. Babcock suggested that all applications are renewed yearly. Businesses from surrounding communities (who are not garaging their vehicles in Newton) are applying to Newton for license approval in order for them to prove to Massachusetts Port Authority that they may conduct business in the City.

Sgt. Babcock then said that in 2014, it is the Police Department's intent to undertake all licenses. It is hopeful, fees will be increased, and a business will have to be in Newton in order to apply for a license for public autos, limousine, van and taxi licenses. Currently, sixteen public autos have livery medallions. Six to seven applicants remain on the 'waiting list'. Eighty-one taxis have taxi medallions. As of November 29, 2012, the City of Newton's Election Commission Department estimates the City's population at 85,146. The existing eighty-one taxis (one license for each population of 1,000) and sixteen public autos (one license for each population unit of \$5,000) are both below the limit.

Committee members feel that Newton businesses should have priority. They suggested the following recommendations: Draft ordinance language reflecting Newton businesses receive first priority and a maximum number/cap is necessary. Committee members asked if the population were to drop, would a license be eliminated or would the licensee be 'grandfathered'. They all agreed that a company should be registered in Newton and fees should be related to the cost associated with service provided. Ald. Fuller moved no action necessary; Committee members agreed 7-0, with the intent of docketing a broader item including the following:

- Draft ordinance language reflecting Newton businesses receive first priority.
- Maximum number/cap of licenses is necessary.
- The process and language from surrounding communities.
- Review of the Police Departments waiting list.

At approximately 10:10 pm, Ald. Yates moved to adjourn. Committee members agreed 7-0.

Respectfully submitted,

Allan Ciccone, Jr. Chairman



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#414-12

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

November 26, 2012

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the following appropriation and authorize a general obligation borrowing of an equal amount for the purpose of funding the replacement costs of Ladder #1 in conjunction with the FY2013 Capital Improvement Plan.

<u>Project</u>	<u>Amount</u>
Purchase of Fire Apparatus – Replacement of Ladder #1	\$1,000,000

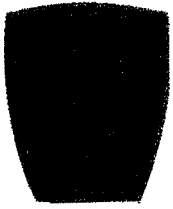
Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

RECEIVED
Newton City Clerk
2012 NOV 27 PM 12:45
David A. Olson, CMC
Newton, MA 02459





Bruce A. Proia
Chief

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

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



Setti D. Warren
Mayor

November 26, 2012

The Honorable Setti D. Warren
Mayor
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear Mayor Warren:

Please consider the request to docket item for the purchase of a new Ladder Truck for the Newton Fire Department, the cost will be One Million Dollars (\$1,000,000.00).

The above mentioned new Ladder Truck will replace our old Ladder Truck 1 which will in turn be our only spare Ladder.

Please feel free to contact me should you have any questions regarding this request.

Sincerely,

Bruce A. Proia
Chief of Department

Cc: Maureen Lemieux, Chief Financial Officer
Robert Rooney, Chief of Operations

#337-12 ALD. LINSKY, CICCONE, ALBRIGHT & JOHNSON, requesting authorization for the installation of a bicycle corral adjacent to 321 Walnut Street, Newtonville. [10/11/12 @ 8:18 PM]

ACTION: **HELD 6-0, Ald. Kalis not voting**

NOTE: Ald. Linsky and Mr. Paille joined the Committee for discussion on this item.

Chair Ciccone stated this is an initial discussion to provide an overview of proposed bike corral locations that he recommends holding to allow residents the opportunity to attend a future meeting.

Mr. Paille provided Committee members with a PowerPoint presentation, attached to this report. He provided existing conditions and a location map including proposed areas for bike corral locations. He said that ideal locations for a bike corral include Washington Park at Walnut Place or Madison Avenue at Walnut Street, near the crosswalks. He then said that in July 2012, Traffic Council approved removal of two meters on Walnut Street to improve visibility and provide pedestrian safety with the intention of installing a bike corral.

Ald. Linsky said it is important to create alternative uses in areas where parking is removed. He suggested implementing a bike corral trial to determine if it would be beneficial. He agreed holding this item allowing the community the opportunity to discuss implementing a bike corral. Perhaps an ideal location would be in the area of Walnut Street at Madison Avenue where the Police Department has removed parking.

Committee members asked if bike corrals could be installed effectively on a street. Do they work with parallel parking and are they safe?

Mr. Koses provided Committee members with several bike corral options including estimated costs and revenue. In order to install a bike corral an 18' parking space is necessary.

Sgt. Babcock said that he has spoken with Rob Caruso, Commission on Disability asking him to review the location of the current handicap parking space and perhaps consider relocating the space to the opposite side of Walnut Street as suggested in Traffic Council in July 2012. Perhaps it could be an ideal location for a bike corral (a protected area). He suggested using the City's European barriers to create a temporary trial designating and creating a safe area to determine if a bike corral would benefit this area.

Without further discussion, Ald. Swiston made the motion to hold this item. Committee members agreed 6-0, Ald. Kalis not voting.

At approximately 9:40 pm, Ald. Yates made the motion to adjourn.

Respectfully submitted,

Allan Ciccone, Jr. Chairman

Bike Corral Options



Estimated Cost

Cycle Stall = \$2700
S+H = \$300
Total = \$3000

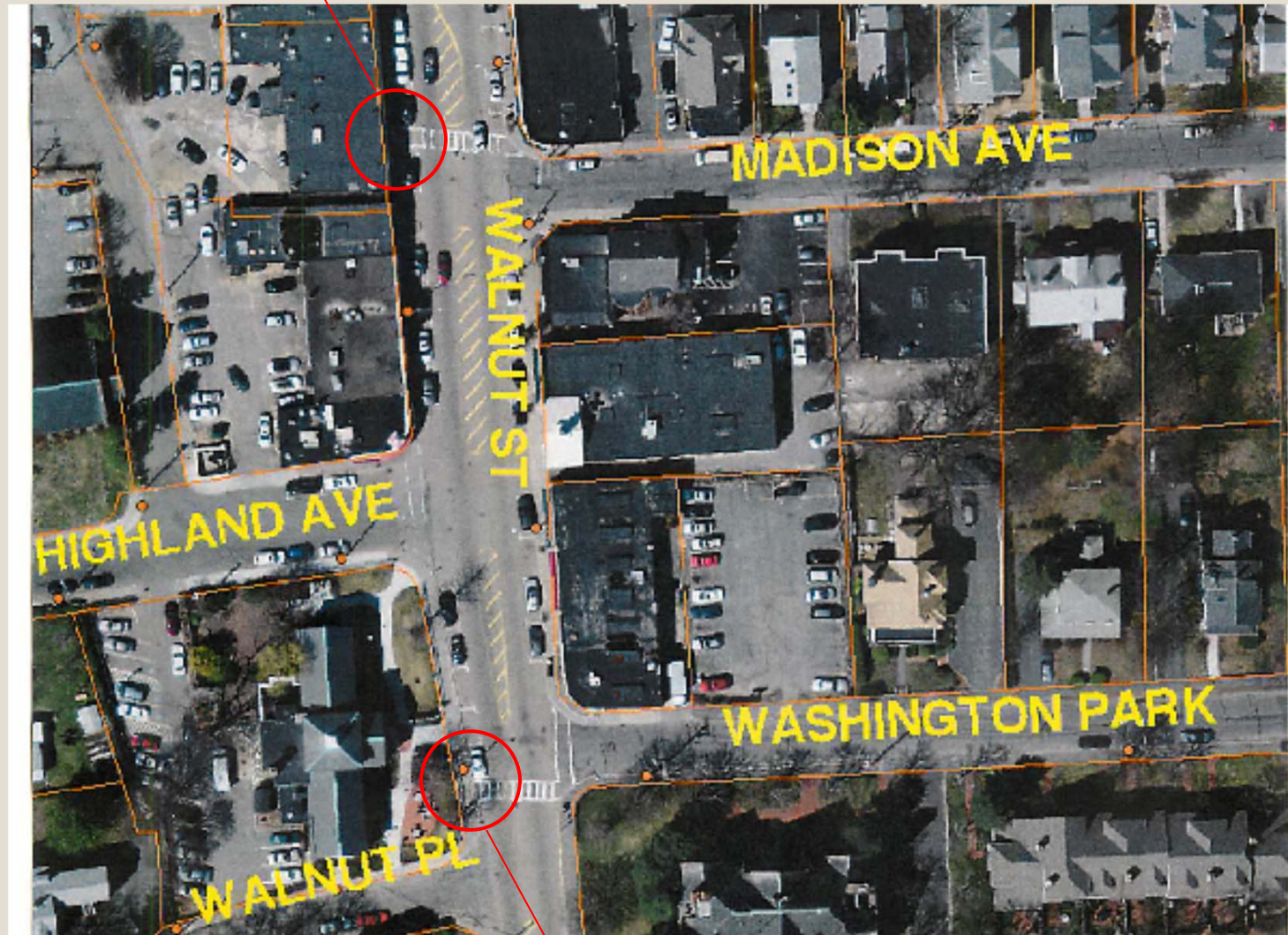
Estimated Revenues

Reimb. = \$1000
Short = \$2000



Location Map - Newtonville

Location No. 1



Location No. 2

Newtonville



Location No. 1



Location No. 2



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459



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Candace Havens
Director

MEMORANDUM

DATE: December 5, 2012

TO: Public Safety and Transportation Committee of the Board of Aldermen

FROM: Candace Havens, Director of Planning and Development 
David Turocy, Commissioner of Public Works 

SUBJECT: Restricting On-Street Parking Near Crosswalks to Improve Safety

CC: Mayor Setti D. Warren

On behalf of the Planning Department and the Department of Public Works, we wish to request an ordinance change which would allow the Commissioner of the Department of Public Works authority to restrict parking for up to 25 feet away from crosswalks for all types of on-street parking within 25 feet of a crosswalk as necessary to protect public safety.

When a vehicle is parked next to a crosswalk or intersection, it is difficult for drivers to see pedestrians or other motorists. Pedestrians and motorists may not be able to see whether it is safe to proceed. By restricting parking near crosswalks and intersections, it will be easier for pedestrians and motorists to view approaching vehicles, allowing them more time to stop, thus reducing the likelihood of crashes. An ordinance that allows the Commissioner to assess sight lines and adjust parking for safety will allow for more immediate action to protect public safety. We propose that the extent of parking to be removed at any given location be determined based on an engineering study using commonly accepted standards for gauging the length of unobstructed sight lines necessary to protect public safety, and shall consider such factors as street geometry, automobile speeds and volume, and visual distractions.

If this ordinance change were to be enacted, we recommend that the Commissioner of Public Works would, as a matter of practice, distribute a written notice to the Board of Aldermen at least 30 days before removing such parking spaces to allow them time to discuss the proposed change with all concerned and/or docket discussion before the appropriate Board committee.

The Commissioner presently has authority to restrict any type of parking within 50 feet of an intersection, and may direct the removal of loading zones, blue zones, parking meters, and handicap spaces. There is no appeal provision for his decisions on such removals. Consistent with that provision of the ordinance, no appeal process is recommended for this proposal. By providing adequate notice to the aldermen and opportunities for informed discussion in advance the Commissioner's action, we expect there will be better understanding and acceptance of his final actions and that an appeal process would not be warranted. It also will enable the Commissioner to act in a prompt and professional manner to resolve potential safety hazards.



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

#146-12

#146-12

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(617) 796-1120
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www.newtonma.gov

Candace Havens
Director

MEMORANDUM

DATE: September 21, 2012
TO: Public Safety and Transportation Committee of the Board of Aldermen
FROM: Candace Havens, Director of Planning and Development
David Turocy, Commissioner of Public Works *DR*
SUBJECT: Restricting On-Street Parking Near Crosswalks to Improve Safety
CC: Mayor Setti D. Warren

RECEIVED
NEWTON CITY CLERK
2012 SEP 24 AM 11:07
DAVID A. OLSON, CMO
NEWTON, MA 02459

On behalf of the Transportation Advisory Group, the Planning and Development Department and the Department of Public Works, we wish to request an ordinance change which would allow the Commissioner of the Department of Public Works to restrict parking for up to 50 feet away from crosswalks as necessary to protect public safety.

When a vehicle is parked next to a crosswalk, it is difficult for drivers to see pedestrians entering the crosswalk, and pedestrians may not be able to see whether it is safe to cross. By restricting parking close to crosswalks, pedestrians will be easier to view by approaching vehicles, allowing them more time to stop, thus reducing the likelihood of pedestrian/automobile accidents. An ordinance that allows the Commissioner to assess sight lines and adjust on-street parking for safety will allow for immediate action to address public safety issues. The extent of parking to be removed at any given location will be determined by an engineering study using commonly accepted standards for determining the length of unobstructed sightline that is necessary to protect the safety of pedestrians and shall consider such factors as street geometry, automobile speeds and volume, and visual distractions.

We recommend this apply to all types of on-street parking within 50 feet of a crosswalk, including loading zones, blue zones, parking meters, and handicap parking spaces. Note that the Department of Public Works is currently the decision-making body relating to the installation, removal and maintenance of crosswalks.

Danielle Delaney

#337-12

#146-12

To: ddelaney@newtonma.gov
Subject: (Fwd) PSnT tonight
Date sent: Wed, 05 Dec 2012 11:32:02

----- Forwarded message follows -----

From: "Grafe, Jerome (
To: "ddelaney@newtonma.gov" <ddelaney@newtonma.gov>
Date sent: Wed, 5 Dec 2012 11:24:53 -0500
Subject: PSnT tonight

Hi Danielle,

I would like to go on record of favoring passage of docket items 337-12 and 146-12 at PSnT tonight.
Thanks.

Jerome

#146-12

#146-12 DIRECTOR OF PLANNING & DEVELOPMENT, requesting possible amendment to Chapter 19 to allow the Commissioner of Department of Public Works to restrict parking up to 10 feet away from crosswalks. [05/14/12 @ 4:06 PM]

ACTION: **HELD 7-0**

NOTE: Clint Schuckel, Director of Transportation; David Koses, Transportation Planner and Captain Howard Mintz, Newton Police Department joined the Committee for discussion on this item.

Mr. Koses said that this item was docketed to allow the Commissioner of the Department of Public Works the opportunity to restrict parking and make necessary changes without an item being docketed for Traffic Council's consideration. He then said that some people do not feel 10' away from a crosswalk is enough space for safety concerns.

Chair Ciccone asked Captain Mintz if there is a state law requiring a certain distance from a crosswalk. Captain Mintz and Mr. Schuckel said that they are not aware of one. Captain Mintz said that City Ordinance does not state a minimum distance of parking restrictions from crosswalks.

Ald. Fuller said that she is in favor of this docket item and asked Mr. Schuckel and Mr. Koses to review the docket language and provide suggestions to allow the Commissioner flexibility to determine necessary distances from crosswalks. Mr. Schuckel said that at certain locations, he would prefer a 50' distance from crosswalks (approximately two car lengths). Ald. Johnson agreed that 50' would benefit village centers that have high traffic and high pedestrian counts.

Chair Ciccone requested Mr. Koses amend the docket language allowing the Commissioner of the Department of Public Works the flexibility to determine necessary distances from a crosswalk and return to this Committee.

Ald. Fuller made the motion to hold this item pending this request from Mr. Koses. Committee members agreed 7-0.

#146-12 DIRECTOR OF PLANNING & DEVELOPMENT, requesting possible amendment to Chapter 19 to allow the Commissioner of Department of Public Works to restrict parking up to 10 feet away from crosswalks. [05/14/12 @ 4:06 PM]

HELD 7-0 on 05/23/12

ACTION: HELD 7-0

NOTE: One email was received supporting this item, attached to this report.

Commissioner Turocy and Mr. Paille joined the Committee for discussion on this item. Mr. Paille provided Committee members with a PowerPoint presentation, attached to this report. The recommendation is to amend the City Ordinance to the following. “Upon any street or roadway within twenty five (25) feet from the edge of an existing or proposed crosswalk in order to provide a safe crossing zone for pedestrians. The Commissioner must demonstrate this need based on field data or technical analysis of said crosswalk that can be made available to the Alderman and their constituents.”

Chair Ciccone opened the discussion to the public who were present. Approximately two residents spoke in favor of this item stating safety is necessary, do not feel 10’ away from a crosswalk is adequate site distance and feel the amendment would benefit village centers that have high traffic and high pedestrian counts.

Committee members asked if this ordinance amendment would be used in future considerations. Mr. Paille answered yes.

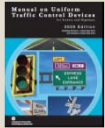
Ald. Yates made the motion to hold this item for draft ordinance language and an appeals process similar to that of Traffic Council but with an appeals time limit of ten days, not twenty days. Committee members agreed 7-0.

The Committee adjourned at 10:45 pm.

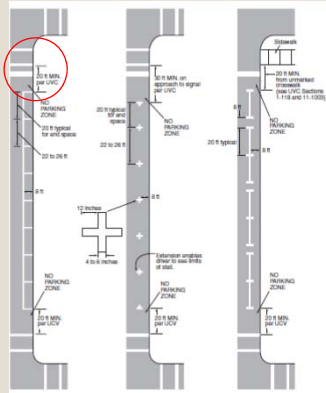
Respectfully submitted,

Allan Ciccone, Jr. Chairman

Design Standards



- Manual on Uniform Traffic Control Devices (MUTCD)
- Figure 3B-21
- 20 Ft from edge of crosswalk
- UVC indicates Uniform Vehicle Code



Sight Distance

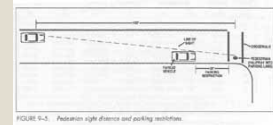


FIGURE 9-3. Pedestrian sight distance and parking restrictions.

Based on *A Policy on Geometric Design of Highways and Streets (AASHTO)*

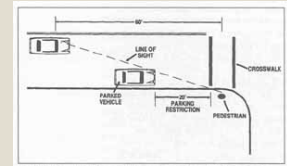


FIGURE 9-4. Pedestrian sight distance and parking restriction needed for parallel parking.

According to a speed of 20 mph, the min. sight distance should be approximately 125 feet.

Recommend amending Chapter 19, Sec. 19-166, with language similar to the following:

Upon any street or roadway within twenty five (25) feet from the edge of an existing or proposed crosswalk in order to provide a safe crossing zone for pedestrians.

The Commissioner must demonstrate this need based on field data or technical analysis of said crosswalk that can be made available to the Alderman and their constituents.

Danielle Delaney

To: ddelaney@newtonma.gov
Subject: (Fwd) PSnT tonight
Date sent: Wed, 05 Dec 2012 11:32:02

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From: "Grafe, Jerome (
To: "ddelaney@newtonma.gov" <ddelaney@newtonma.gov>
Date sent: Wed, 5 Dec 2012 11:24:53 -0500
Subject: PSnT tonight

Hi Danielle,

I would like to go on record of favoring passage of docket items 337-12 and 146-12 at PSnT tonight.
Thanks.

Jerome

Sec. 19-333. Number of licenses.

(a) No more than one (1) taxicab license shall be issued for each population unit of one thousand (1,000) or additional fraction thereof, except that if a greater number of such licenses shall have been granted, issued or were in force as of November 1, 1992 than would be permissible under said limitation, such licenses shall remain in full force and effect and no subsequent requests for renewals of such licenses by those persons holding such licenses as of November 1, 1992 shall be denied solely for reasons of declining population. If the number of taxicab licenses outstanding as of November 1, 1992 exceeds the limitation set forth herein, no further licenses shall be issued or granted until the number of licenses outstanding shall have been reduced, by cancellation, revocation, failure to renew, failure to use as provided in section 19-336, or otherwise, to an amount less than that permitted by the limitation of this subsection, and, thereafter, licenses may be issued only as provided herein.

(b) No more than one (1) public automobile license shall be issued for each population unit of five thousand (5,000) or additional fraction thereof, except that if a greater number of such licenses shall have been granted, issued or were in force as of November 1, 1992 than would be permissible under said limitation, such licenses shall remain in full force and effect and no subsequent requests for renewals of such licenses by those persons holding such licenses as of November 1, 1992 shall be denied solely for reasons of declining population. If the number of public automobile licenses outstanding as of November 1, 1992 exceeds the limitation set forth herein, no further licenses shall be issued or granted until the number of licenses outstanding shall have been reduced, by cancellation, revocation, failure to renew, failure to use as provided in section 19-336 of this ordinance, or otherwise, to an amount less than that permitted by the limitation of this subsection, and, thereafter, licenses may be issued only as provided herein.

(c) *Special taxicab or public automobile licenses:* Notwithstanding the provisions of subsection (a) of this section, the board of aldermen, in its discretion, may grant additional taxicab or public automobile licenses to a person who has, on or after the effective date of this section, a written contract to provide transportation services by means of a taxicab and or public automobile to a specially identifiable population, including, but not limited to, elderly persons or persons with special needs. In order to obtain a special license, such a person must file an application for a special license with the city clerk in the manner provided in section 19-332 and provide a notarized copy of such contract.

The board of aldermen may grant such licenses for one year, or for the term of the contract, not to exceed a maximum of three years, provided that the licensee shall be required to provide a current notarized copy of the contract to the board of aldermen for each year of the license term of a special license. Special licenses granted pursuant to this provision shall not be included in the number of licenses outstanding for purposes of maintaining the limit on the total number of licenses as set forth in subsections (a) and (b). (Rev. Ords. 1973, § 21-10; Ord. No. T-66, 12-18-89; Ord. No. T-291, 8-9-93; Ord. No. W-59, 9-18-01)

#392-12

On November 29, 2012, the City of Newton's Election Commission Department estimates the City's population at 85,146.