

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE AGENDA

WEDNESDAY, FEBRUARY 9, 2011

7:45 PM
Room 202

ITEMS SCHEDULED FOR DISCUSSION:

- #64-10 ALD. YATES, SHAPIRO, FULLER, JOHNSON, CICCONE, SWISTON AND HARNEY requesting the City Traffic Division, Tree Warden and Urban Tree Commission to review the Nahanton Woods property around its driveway and make recommendations to the Nahanton Woods Trust as to how to improve the visibility of the driveway to and from Nahanton Street. [02/17/10 @ 10:29 PM]
- #39-11 PUBLIC SAFETY & TRANSPORTATION COMMITTEE recommending an amendment to Section 19-33(d) of the City of Newton Revised Ordinances of 2007 (role of the Board of Aldermen in appeals from Traffic Council) to allow the Board to take final action on Traffic Council appeals rather than return the item for a Traffic Council vote. [01/19/11 @ 2:28 PM]

Chairman's Note: The Committee will meet jointly with the Public Facilities Committee to discuss the following item:

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEE

- #41-11 ALD. JOHNSON, LENNON AND DANBERG requesting discussion of the elimination, except during snow emergencies, of the overnight parking ban which is in effect from November 15 through April 15. [01/18/11 @ 9:00 PM]
- #279-10 ALD. JOHNSON, ALBRIGHT & LINSKY, requesting the development of a comprehensive traffic and parking plan for the Newton North High School neighborhood with the following streets as its borders: Commonwealth Avenue, Washington, Harvard and Valentine Streets. This plan to be completed by November 30, 2010 will include a fix to short term (immediate needs) and longer term needs to effectively manage the traffic circulation within the neighborhood, provide pedestrian and vehicular safety, and preserve quality of life for the neighborhood, school staff and faculty. [10/06/10 @ 12:33 PM]
HELD 7-0 (Ald. Fuller not voting) on 11/03/10

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Kathleen Cahill, 617-796-1125, via email at KCahill@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

ITEMS NOT SCHEDULED FOR DISCUSSION:

- #371-10 ALD. CICCONE on behalf of Annette Kaplan, 2 Washington Street, Newton Corner, requesting amendment to Section 19-309, *Requirements as to vehicles generally*, of the City of Newton Revised Ordinances to require taxi companies to display the company name, telephone number, and medallion number in all vehicles, visible from the back seat. [12/13/10 @ 4:10 PM]
HELD 7-0 on 01/05/11

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

- #363-10 ALD. ALBRIGHT & DANBERG, proposing a trial of parking meter free Saturdays between Thanksgiving and New Year for the shopping areas to support shopping at local businesses in Newton. [11/15/10 @ 6:30 PM]
HELD 5-0 (Ald. Yates and Swiston not voting) on 01/05/11

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #311-10 HIS HONOR THE MAYOR submitting the FY'12-FY'16 Capital Improvement Program, totaling \$174,246,135 pursuant to section 5-3 of the Newton City Charter and the FY'11 Supplemental Capital budget which require Board of Aldermen approval to finance new capital projects over the next several years. [10/18/10 @ 5:24PM]
- #65-10 ALD. YATES, SHAPIRO, JOHNSON, SWISTON AND HARNEY asking the MBTA to provide safer access to bus route 52 for residents of Nahanton Woods, and employees and students of Mount Ida College. [2/17/10 @ 10:29 PM]
HELD 7-0 (Ald. Fuller not voting) on 11/03/10
- #49-10 NEWTON BICYCLE/PEDESTRIAN TASK FORCE seeking a discussion on a proposal to make changes to the City of Newton's bicycle-related ordinances in order to better align them with State Law and to make it possible for Newton's Safe Routes to School program to develop bike routes suitable for children. [02/09/10 @ 9:11 AM]
HELD 4-0 (Ald. Fuller not voting) on 03/03/10
- #19-10 DAVID KOSES, Traffic Council Chair, requesting discussion of a stationary radar sign program. [01/11/10 @ 3:55 PM]
HELD 8-0 on 01/20/10
- #264-09 ALD. HESS-MAHAN proposing to amend Sections 19-166, 19-219 and 26-16 of the Revised Ordinances to allow certain two wheel vehicles, including motorized vehicles that must register as limited use vehicles pursuant to the MGL ch. 90 as amended by Chapter 523 of the Acts of 2008, to continue to park on sidewalks. [09/01/09 @ 11:40 AM]

- #261-09 ALD. JOHNSON requesting a review of the City of Newton Ordinances Chapter 24, Sections 26–34 Alarm System Regulations to more clearly express the fines and penalties to residential and commercial property owners for false alarms. [08/19/09 @ 9:53 AM]

REFERRED TO PS&T COMMITTEE by TRAFFIC COUNCIL on 10/23/08

- #235-09 ALD. SANGIOLO, HARNEY & GENTILE on behalf of residents on
TC2(2)-08 Wolcott Street requesting that the traffic control signal located at Wolcott and Lexington Streets be moved to a different location or removed altogether. (Ward 4) [3/28/08 @ 9:59 AM]
- #147-09 ALD. VANCE, HESS-MAHAN AND DANBERG requesting discussion with members of the Administration of such possible adoption by Newton's city government of a program such as Zipcar's Fast Fleet vehicle-sharing and management system as a means of reducing the costs of vehicle usage by city employees and the impact of such usage on the environment. [05/11/09 @ 9:58 AM]

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE on 05/04/09

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES on 02/17/09

- #60-09 ALD. SANGIOLO, GENTILE AND HARNEY requesting the installation of traffic islands on CONCORD STREET to be funded with the Cabot, Cabot and Forbes Traffic Mitigation Fund for Lower Falls (Ward 4). [02/03/09 @ 1:01 PM]
FINANCE NO ACTION NECESSARY 7-0 on 03/08/10
- #113-08 PLANNING DEPARTMENT requesting a presentation and discussion of the Newton Corner Phase 2 Study to be conducted by the Central Transportation Planning Staff. [03/07/08 @ 3:45 PM]
- #21-08 ALD. LINSKY AND DANBERG requesting discussion with appropriate personnel from the Massachusetts Bay Transportation Authority (MBTA) relative to ongoing service levels and conditions on mass transit and rail lines affecting Newton residents. [01/04/08 @ 10:19 AM]
- #477-04 ALD. LENNON, GERST, MERRILL AND VANCE requesting traffic study/safety analysis of ST. JAMES STREET and CHARLESBANK ROAD, from the Mass Pike on-ramp at exit 17 to NONANTUM ROAD, Newton Corner. Analysis should include traffic improvements/safety enhancements to provide for increased pedestrian and vehicle safety in this very busy, densely populated area. Said study should also include review (and possible upgrade) of the traffic island and lights the intersection of ST. JAMES STREET/ST.JAMES TERRACE/CHARLESBANK ROAD as well as possible capital improvements for increased vehicular safety at the intersection of CHARLESBANK ROAD/NONANTUM ROAD.
(Public Hearing held on 03/30/05)

Respectfully submitted,

Allan Ciccone, Jr., Chairman

BOARD OF ALDERMEN

CITY OF NEWTON

10 FEB 17 PM 10: 29

DOCKET REQUEST FORM CITY CLERK
NEWTON, MA. 02159

DEADLINE NOTICE: Aldermanic Rules require items to be docketed with the Clerk of the Board NO LATER THAN 7:45 P.M. TUESDAY, PRIOR TO THE MONDAY FULL BOARD MEETING in order to be voted to be assigned to Committee(s) that evening.

To: Clerk of the Board of Aldermen

Date: Feb. , 2010

From (Docketer): Brian Yates

Address/phone/email: ~~Asker~~

Additional sponsors: Charles Shapiro, Ruthanne Fuller, M. J. Luce, A. Ciccone, Greer Jan Swisher, JAY HARNEY

1. Please docket the following item (edit if necessary):

Ask the city traffic division, tree warden, and urban tree commission to review the ~~used~~ Nahanton Woods property around its driveway and make recommendations to the ~~city~~ Nahanton Woods as to how to improve the visibility of the driveway to from Nahanton Street and vice-versa.

2. The purpose and intended outcome of this item is:

- Fact-finding & discussion **TRUST**
- Appropriation, transfer, expenditure, or bond authorization
- Special permit, site plan approval, zone change (public hearing required)
- Ordinance change
- Resolution
- License or renewal
- Appointment confirmation
- Other

3. I recommend that this item be assigned to the following committees:

- Programs & Services
- Zoning & Planning
- Public Facilities
- Post Audit & Oversight
- Committee on Community Preservation
- Finance
- Public Safety
- Land Use
- Real Property
- Special Committee
- No Opinion

4. This item should be taken up in committee:

- Immediately (Emergency only, please). Please state nature of emergency: _____
- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 below
- Following public hearing

PLEASE FILL OUT REVERSE SIDE

5. I estimate that consideration of this item will require approximately:

- One half hour or less
- More than one hour
- More than one meeting

- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

 Marc Welch

 Clint Shaukel

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion *:

8. I ___ have or ___ intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Aldermen have a chance to review all relevant materials before a scheduled discussion. Materials not submitted 48 hours in advance of a meeting to discuss an item will require a vote to suspend the rules the night of the Committee's discussion.)

Please check the following:

- 9. ___ I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. ___ I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:
- 11. ___ I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Brian E. Yates

Signature of person docketing the item

[Please retain a copy for your own records]

BOARD OF ALDERMEN

CITY OF NEWTON

DOCKET REQUEST FORM

DEADLINE NOTICE: Aldermanic Rules require items to be docketed with the Clerk of the Board NO LATER THAN 7:45 P.M. TUESDAY, PRIOR TO THE MONDAY FULL BOARD MEETING in order to be assigned to Committee(s) and voted for inclusion that evening.

To: Clerk of the Board of Aldermen

Date: 1/19/11

From (Docketer): Ald. Ciccone

Address: _____

Phone: _____

E-mail: _____

Additional sponsors:

1. Please docket the following item (it will be edited for length if necessary):

~~Ald. Ciccone~~ Public Safety + Transportation Committee
recommending an amendment to
Sec. 19-33^(d) of the City of Newton Revised Ordinances
of 2007 (Role of BOA; appeals from Traffic Council)
to allow Board of Aldermen to take final action on
Traffic Council Appeals
rather than return them
for Traffic
Council
vote

2. The purpose and intended outcome of this item is:

- Fact-finding & discussion
- Appropriation, transfer,
- Expenditure, or bond authorization
- Special permit, site plan approval,
- Zone change (public hearing required)

- Ordinance change
- Resolution
- License or renewal
- Appointment confirmation
- Other: _____

3. I recommend that this item be assigned to the following committees:

- Programs & Services
- Zoning & Planning
- Public Facilities
- Post Audit & Oversight

- Finance
- Public Safety
- Land Use
- Committee on Community Preservation

- Real Property
- Special Committee
- No Opinion

11 JAN 19 P 2:28
CITY CLERK
NEWTON, MA. 02459

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 below
- Following public hearing

5. I estimate that consideration of this item will require approximately:

- One half hour or less
- More than one hour
- More than one meeting
- Up to one hour
- An entire meeting
- Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

Law Dept

Jim Danila

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion*:

19-33 Ordinance

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

(*Note to docketer: Please provide all additional materials to the Clerk's office by Noon on Friday before the Committee meeting where it will be discussed. The materials must be provided in both electronic form and hard copy. This will give Aldermen a chance to review all relevant materials before discussion. Materials not submitted 48 hours in advance of a meeting will require a vote to suspend the rules the night of the Committee's discussion in order to allow the material to be presented.)

Please check the following:

- 9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.
- 10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is: _____
- 11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Ald. Ciccione
Signature of person docketing the item

[Please retain a copy for your records]

Sec. 19-33. Role of board of aldermen; appeals from Traffic Council.

(a) The board of aldermen may establish policies and standards regarding traffic and parking matters for particular locations, and periodically review and revise such policies and standards, to be used as guidelines by the traffic council.

(b) Following the traffic council's adoption, amendment or repeal of a regulation pursuant to said council's authority under section 19-26 (a), an appeal may be taken to the board of aldermen in accordance with the procedures set out in section 19-34. The clerk of the board of aldermen shall send or deliver notice of hearing on appeal to all persons notified of the original traffic council hearing and to such other persons as the board of aldermen may determine.

(c) Upon the filing of an appeal relative to the traffic council's adoption, amendment or repeal of a regulation, the status quo shall be maintained pending final outcome of the appeal. Upon the receipt of such an appeal petition, the clerk of the board of aldermen shall treat the appeal as a new item for the board of aldermen and place it on the board's docket.

✓ (d) The board of aldermen's decision of such an appeal may order the traffic council to adopt, amend, or repeal regulations concerning the geographic area that was the subject of the petition initially filed with the traffic council, or may remand the matter to the traffic council for further review. (Ord. No. Z-12, 12-03-07)

BOARD OF ALDERMEN
CITY OF NEWTON
DOCKET REQUEST FORM

DEADLINE NOTICE: Aldermanic Rules require items to be docketed with the Clerk of the Board NO LATER THAN 5:00 P.M. TUESDAY, PRIOR TO THE MONDAY FULL BOARD MEETING in order to be voted to be assigned to Committee(s) that evening.

To: Clerk of the Board of Aldermen

Date: January 18, 2011

From (Docketer): Ald. Johnson & Lennon

Address/phone/email: and Danberg

11 JAN 18 P 9:00
CITY CLERK
NEWTON, MA 02159

Additional sponsors:

1. Please docket the following item (edit if necessary):

Discussion regarding elimination of
overnight parking Ban Nov 15 - April 15
except in snow emergency

2. The purpose and intended outcome of this item is:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input type="checkbox"/> Appropriation, transfer, expenditure, or bond authorization | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Special permit, site plan approval, zone change (public hearing required) | <input type="checkbox"/> License or renewal |
| | <input type="checkbox"/> Appointment confirmation |
| | <input type="checkbox"/> Other |

3. I recommend that this item be assigned to the following committees:

- | | | |
|--|---|--|
| <input type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input checked="" type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input checked="" type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |
| <input type="checkbox"/> Post Audit & Oversight | | |
| <input type="checkbox"/> Committee on Community Preservation | | |

4. This item should be taken up in committee:

- Immediately (Emergency only, please). Please state nature of emergency: _____
- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 below
- Following public hearing

PLEASE FILL OUT REVERSE SIDE

5. I estimate that consideration of this item will require approximately:

One half hour or less

Up to one hour

More than one hour

An entire meeting

More than one meeting

Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, especially relevant Department Heads):

City personnel

Citizens (include telephone numbers/email please)

7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion *:

8. I have or intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Friday before the upcoming Committee meeting when the item is scheduled to be discussed so that Aldermen have a chance to review all relevant materials before a scheduled discussion. Materials not submitted 48 hours in advance of a meeting to discuss an item will require a vote to suspend the rules the night of the Committee's discussion.)

Please check the following:

9. I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.

10. I would like the Clerk's office to contact me to confirm that this item has been docketed. My daytime phone number is:

11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Signature of person docketing the item

[Please retain a copy for your own records]

Sec. 19-173. Parking vehicles for sale.

It shall be unlawful for any person to park upon a street or highway any vehicle displayed for sale. (Rev. Ords. 1973, § 13-143)

Sec. 19-174. Parking of commercial vehicles and trailers.*(a) Parking of commercial vehicles and trailers.*

(1) For the purposes of this section, the following definition shall be used:

Commercial vehicle: Any vehicle which is used in the commercial transportation of goods, wares, merchandise, materials or other property, or which has a commercial registration plate, and which has one or more of the following characteristics:

- a) has a carrying capacity in excess of two and one-half (2 1/2) tons;
- b) is more than eighteen (18) feet in length or seven (7) feet in width;
- c) has more than four wheels or more than two axles;
- d) contains more than four square feet of advertising.

Trailer: Any vehicle or object on wheels and having no motive power of its own, but which is drawn by, or used in combination with, a motor vehicle.

(2) It shall be unlawful year round for any commercial vehicle or trailer to be parked on any street, way, highway, road, parkway or private way dedicated or open to the use of the public for a period of time longer than two hours, provided, however, that this regulation shall not apply in the following instances:

- a) a commercial vehicle or trailer parked at a metered parking space;
- b) a commercial vehicle or trailer parked temporarily during the actual loading or unloading of materials;
- c) a commercial vehicle or trailer acting in an emergency; or
- d) a commercial vehicle or trailer parked within 500 feet of the work site of the driver of such vehicle or trailer. This exemption shall not apply where the work site of the driver or owner of the vehicle or trailer is also the residence for the driver or owner.

(3) The penalty for violation of subsection (2) of this section shall be as follows: for the first offense, a warning; for the second offense, twenty-five dollars (\$25.00); and for each subsequent offense, the vehicle or trailer shall be towed to a convenient place and the owner of the vehicle or trailer towed away shall be liable for the towing and storage charges, if any, within the limits set forth in section 19-226. The owner of any vehicle removed or towed under the provisions of this section shall also be subject to the penalties provided in section 19-8 of this chapter.

(b) Other vehicles: From November 15th through April 15th, it shall be unlawful for any vehicle, other than one acting in an emergency, to be parked on any street, way, highway, road, parkway or private way dedicated or open to the use of the public for a period of time longer than one hour between the hours of 2:00 a.m. and 6:00 a.m. (Rev.

BOARD OF ALDERMEN

279-10
279-10

CITY OF NEWTON

10 OCT -6 P 12:33

DOCKET REQUEST FORM

DEADLINE NOTICE: Aldermanic Rules require items to be docketed with the Clerk of the Board **NO LATER THAN 7:45 P.M. ON THE MONDAY PRIOR TO A FULL BOARD MEETING.**

To: Clerk of the Board of Aldermen

Date: October 6, 2010

From (Docketer): Ald. Marcia Johnson

Address: _____

Phone: _____

E-mail: _____

Additional sponsors: Ald. Albright, Linsky

1. Please docket the following item (it will be edited for length if necessary):

requesting the development of a comprehensive traffic and parking plan for the Newton North High School neighborhood with the following streets as its borders: Commonwealth Avenue, Washington Street, Harvard Street and Valentine Street. This plan to be completed by November 30, 2010 will include a fix to short term [immediate needs] and longer term needs to effectively manage the traffic circulation within the neighborhood, provide pedestrian and vehicular safety, and preserve quality of life for the neighborhood and the school staff and faculty.

2. The purpose and intended outcome of this item is:

- Fact-finding & discussion
- Appropriation, transfer,
- Expenditure, or bond authorization
- Special permit, site plan approval,
- Zone change (public hearing required)

- Ordinance change
- Resolution
- License or renewal
- Appointment confirmation
- Other: _____

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|--|--|
| <input type="checkbox"/> Programs & Services | <input type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input type="checkbox"/> Zoning & Planning | <input checked="" type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |
| <input type="checkbox"/> Post Audit & Oversight | <input type="checkbox"/> Committee on Community Preservation | |

4. This item should be taken up in committee:

Immediately (Emergency only, please). Please state nature of emergency:

- As soon as possible, preferably within a month
- In due course, at discretion of Committee Chair
- When certain materials are made available, as noted in 7 & 8 on reverse
- Following public hearing

PLEASE FILL OUT BOTH SIDES

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- One half hour or less
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- Up to one hour
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- Extended deliberation by subcommittee

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City personnel

Citizens (include telephone numbers/email please)

Clint Schuckel _____

Bob Rooney _____

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- 11. I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Marcia Johnson
Signature of person docketing the item

[Please retain a copy for your own records]