

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE AGENDA

WEDNESDAY, JANUARY 19, 2011

**7:00 PM Please note early start
Room 209 and 202**

ITEMS SCHEDULED FOR DISCUSSION:

Chairman's Note: The Committee will meet jointly with the Public Facilities Committee in room 209 to discuss item #310-10. Regular Committee business will be discussed following the joint meeting in Room 202.

REFERRED TO PS&T, PUB. FACIL. AND FINANCE COMMITTEES

#310-10 ALD. DANBERG, ALBRIGHT, BAKER, BLAZAR, CROSSLEY, FISCHMAN, FREEDMAN, HESS-MAHAN, JOHNSON, LINSKY, MERRILL, RICE AND SCHNIPPER requesting that §26-8 and §20-21 of the City of Newton Rev. Ords., 2007, be amended to establish criteria and provisions for requiring removal of snow in all districts by property owners, occupants, and property managers to sidewalks abutting their property and to review and amend enforcement provisions including structure of fines, for snow removal violations. [10/25/10 @ 4:39 PM]

PUBLIC FACILITIES HELD 6-0 on 12/08/10

HELD 7-0 on 12/08/10

REFERRED TO PUBLIC SAFETY AND FINANCE COMMITTEES

#30-11 HIS HONOR THE MAYOR requesting that \$150,000 be transferred from Budget Reserve to Police Department Overtime. [01/10/11 @ 6:06 PM]

#11-10 ALD. ALBRIGHT requesting a discussion relative to providing parking during a snow emergency for residents who live in housing without on-site parking. [12/21/09 @ 1:15 PM]

HELD 5-0 on 01/05/11 Ald. Yates and Swiston not voting

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 on 01/05/11 Ald. Yates and Swiston not voting

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]
- #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
- #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
- #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]

- #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

DRAFT AMENDMENT – Sidewalk Snow Removal Ordinance

For Discussion Purposes

11/9/2010

Delete Section 26-8 in its entirety, and insert in its place the following language:

Sec. 26-8. Removal of snow and ice from sidewalks.

In order to allow for safe pedestrian and wheelchair passage, every owner or occupant or person having charge of a building or lot of land abutting upon a paved sidewalk shall cause any snow to be removed from such sidewalk, including handicap access ramps, to allow for a passageway of a least forty-eight (48) inches in width, and shall cause ice on such sidewalk, including handicap access ramps, to be removed, sanded or salted to allow for a passageway of at least forty-eight (48) inches in width, provided that the passageway shall encompass the entire width of such sidewalk, including handicap access ramps, on all sidewalks in business zoned districts, on all sidewalks abutting commercial properties in other districts, and in any district where the paved sidewalk is less than forty-eight (48) inches in width. Snow shall be removed within twenty-four (24) hours after such snow has ceased to fall and ice shall be removed, sanded or salted within twenty-four (24) hours after such ice has come to be formed. This section shall apply to snow and ice which falls from buildings, other structures, trees or bushes as well as to that which falls from clouds.

Draft amendment to Sec. 20-21 increasing fines:

Amend paragraph (d) of section 20-21, Enforcing persons and revised ordinances subject to civil fine, relative to ordinances enforced by the Police Department by:

1. Deleting, in Sec. 26-8 Removal of snow and ice in certain districts, the words “in certain districts”; and deleting the penalty amount of “25.00” and inserting in its place the penalty amount of “50.00.”

2. Deleting, in Sec. 26-9 Putting snow and ice upon streets, sidewalks and bridges, the penalty amounts of “\$25.00”, and inserting in their place the penalty amounts of “\$50.00.”

11/17/10

DRAFT LANGUAGE FOR SIDEWALK SNOW REMOVAL PILOT PROGRAM - 3 year sunset

The proposed pilot program leaves in place the current Sec. 26-28 sidewalk snow removal requirement pertaining to business districts and commercial properties, and inserts a new section, with a sunset provision, applicable to all other properties. This new section would be enforceable (\$50.00 fine) while it is in effect. All currently existing snow removal fines will be raised from \$25.00 to \$50.00 with no sunset.

1. Insert a new section **26-8D** as follows:

Sec. 26-8D Pilot program for removal of snow and ice from sidewalks.

In order to allow for safe pedestrian and wheelchair passage, every owner or occupant of a building or lot of land abutting upon a paved sidewalk or any person having charge of such property shall cause snow to be removed from the sidewalk, including handicap access ramps, and ice on the sidewalk, including handicap access ramps, to be removed, sanded or salted to allow for a passageway of at least forty-eight (48) inches in width, provided that where the sidewalk as defined herein is less than forty-eight (48) inches in width, the passageway shall encompass the entire width of such sidewalk and shall include handicap access ramps. Snow shall be removed and ice shall be removed, sanded or salted within twenty-four (24) hours after such snow has ceased to fall or such ice has come to be formed. This section shall apply to snow and ice which falls from buildings, other structures, trees or bushes, as well as to that which falls from clouds. This section shall not apply to owners or occupants of a building or lot covered by Section 26-8. The provisions of this section shall expire three (3) years from the date of its adoption unless terminated earlier or renewed or modified by the board of aldermen.

2. Amend paragraph (d) of section 20-21, **Enforcing persons and revised ordinances subject to civil fine**, relative to ordinances enforced by the Police Department by:

A. Deleting, in Sec. 26-8 **Removal of snow and ice in certain districts**, the words "in certain districts"; and deleting the penalty amount of "25.00" and inserting in its place the penalty amount of "50.00."

B. Adding after Sec. 26-8 the following language:

Sec. 26-8D. **Removal of snow and ice from sidewalks (pilot program)**

() Any offense.....\$50.00

C. Deleting, in Sec. 26-9 **Putting snow and ice upon streets, sidewalks and bridges**, the penalty amounts of "\$25.00", and inserting in their place the penalty amounts of "\$50.00

12/8/10

DRAFT LANGUAGE FOR SIDEWALK SNOW REMOVAL TRIAL PROGRAM - 3 year trial

The proposed pilot program leaves in place the current Sec. 26-28 sidewalk snow removal requirement pertaining to business districts and commercial properties, and inserts a new section, with a sunset provision, applicable to all other properties. This proposed new section would be enforceable (\$50.00 fine) while it is in effect. The proposal would also increase all currently existing snow removal fines (§ 26-8 sidewalk snow removal in business districts; § 26-9 placing snow on public ways) from \$25.00 to \$50.00 with no sunset.

1. Insert a new section **26-8D** as follows:

Sec. 26-8D Trial program for removal of snow and ice from sidewalks.

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SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#30-11

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

January 10, 2011

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$150,000 from FY2011 Budget Reserve to Police Department Overtime.

Currently, the Police Department is spending approximately \$12,250 per week on overtime due to personnel shortages, comprised of 3 retirements, 1 resignation and 6 cadets who are currently enrolled in the academy. The cadets will be returning from the academy and will assume their full responsibilities during the month of March which should have a favorable impact on the weekly overtime run rate.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

11 JAN 10 P 6:06
CITY CLERK
NEWTON, MA 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



City of Newton Police Department



TELEPHONE
(617) 796-2101
FAX # (617) 796-3679
TDD/TTY: 617-796-1089

Office of the Chief of Police

HEADQUARTERS

1321 WASHINGTON STREET
NEWTON, MASSACHUSETTS 02465

MATTHEW A. CUMMINGS
CHIEF OF POLICE

January 10, 2011

Hon. Mayor Setti D. Warren
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459-1449

Dear Mr. Mayor:

Respectfully request a special appropriation in the amount of \$150,000.00 to be placed in police overtime account 01 201 03 513001.

Thank you for your consideration of this matter. Please direct any questions to me at extension 2101.

Very truly yours,

Matthew A. Cummings
Chief of Police

FIRST ACCREDITED CITY POLICE DEPARTMENT IN MASSACHUSETTS



12/8/10

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