

CITY OF NEWTON

IN BOARD OF ALDERMEN

REVISED PUBLIC SAFETY & TRANSPORTATION COMMITTEE REPORT

WEDNESDAY, JUNE 8, 2011

Present: Ald. Ciccone (Chairman), Swiston, Harney, Yates, Shapiro, Fuller, Johnson and Freedman
City Staff: Chief Matthew Cummings, Officer Rocco Marini (Newton Police Department) and Interim Chief Bruce Proia (Newton Fire Department)
Others Present: Frank Stearns (K&L Gates, LLP) and P.J. Cappadona (Boston College)

#170-11 BOSTON COACH TRANSPORTATION request for annual renewal of the Boston College Bus Licenses. There are no changes proposed to last year's licenses. [05/16/11 @ 11:06 AM]

ACTION: **APPROVED 6-0, Ald. Swiston and Shapiro not voting**

NOTE: Frank Stearns and P.J. Cappadona joined the Committee for discussion on this item. Mr. Stearns spoke briefly about the Boston College bus service. He stated there have been no changes in routes or buses nor have they received any complaints in the past year. This year, Boston College intends to replace older buses with newer environmental friendly buses. Currently, there are two inter-campus bus routes used primarily for students and staff.

Ald. Johnson asked if the number of passengers using the bus service has increased or decreased this year and if data was available. Mr. Stearns said that in 2006, Boston College conducted an outside study to assess the utilization of these routes from two different standpoints for ridership. The two standpoints would be to watch which routes were over utilized and which routes were underutilized. When the outside study was complete, routes were adjusted. Ald. Johnson asked that Committee members be provided with an updated utilization report before next years' license renewal; therefore, she made the motion to approve this item. Committee members agreed 6-0, Ald. Swiston and Shapiro not voting.

#169-11 POLICE DEPARTMENT submitting reports of semi-annual taxi license/public auto inspections for review. [05/13/11 @ 10:55 AM]

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

NOTE: Committee members were provided with a copy of the semi-annual inspection report, dated June 2, 2011, attached to this report.

Officer Rocco Marini reported that he conducted the semi-annual taxi inspections on the following companies.

Newton Yellow Cab #32 needs an inspection sticker, #49 needs to be replaced and #36 had an internal fire.

Apollo Taxi & Livery PA#15 has not applied for a license in two years. Officer Marini has made several attempts without success contacting owner, Mr. Riadh. He will start the process of revoking his license.

New England Car Service PA#14 moved his business to Danvers and returned his medallion to the City. The medallion will be issued to a waiting company.

Weldon Executive Coach PA#4 has not been available for inspection.

Officer Marini stated companies have thirty days to have their vehicles inspected and will provide the Committee Clerk with a list of these inspections as they take place over the next month, hopefully prior to the Board of Aldermen meeting on June 20. All other vehicles passed inspection and he recommends approval for those public autos and taxi medallions.

Officer Marini stated if a company has a Newton business address they must obtain a Taxi and/or Public Auto medallion. He briefly explained the process relating to the transfer of medallions. A list of interested companies is kept by the Police Department and when a medallion becomes available, it is transferred on a 'first come, first served' basis. Currently there are eight interested companies on the Taxi medallion waiting list and four interested companies on the Public Auto medallion waiting list. Ald. Fuller asked how the number of medallions is determined and if they can be increased. Chairman Ciccone stated the City Ordinance reflects the numbers that can be issued. Ald. Harney said the City is not receiving complaints from companies or residents indicating their desire to increase the number of issued medallions. Perhaps in the future, the Ordinance could be reviewed. Ald. Swiston suggested docketing an item for Post Audit & Oversight Committee's review regarding the number of medallions and business needs.

Committee Clerk's Note: On June 10, 2011, the City of Newton's Election Commission Department estimates the City's population at 83,500. The existing eighty-three taxi medallions are right at the limit (one license for each population unit of 1,000) and the **fifteen** public autos (one license for each population unit of 5,000). City Ordinance Sec. 19-333 "Number of Licenses" is attached to this report.

Ald. Johnson made the motion to approve this item except the inspections of Newton Yellow Cab #32, 49 and 36; Apollo Taxi & Livery PA#15; New England Car Service #PA14 and Weldon Executive Coach PA#4. Committee members agreed 7-0, Ald. Shapiro not voting.

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

#189-11 HIS HONOR THE MAYOR requesting an appropriation in the amount of twenty-five thousand dollars (\$25,000) from FY11 Free Cash for heating oil costs incurred by the Fire Department. [05-31-11 @2:16 PM]

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

NOTE: Committee members were provided with heating oil and natural gas costs from FY06 to the present prepared by Maureen Lemieux, Chief Financial Officer on June 6, 2011, attached to this report.

Interim Chief Bruce Proia stated he is requesting this appropriation for heating oil costs for the remainder of FY11. During renovations, temporary station #7 was heated using propane gas, a very costly gas raising the fuel fund unexpectedly.

Ald. Johnson said it is concerning to her that the FY12 budget of approximately \$110,000 is \$12,000 less than the FY11 budget of approximately \$122,000. Ald. Fuller related to Committee members that the natural gas prices are very good at this time, approximately 60% less than one-year ago and the City is in the process of locking in natural gas costs.

Ald. Swiston asked if renovation projects were planned for next year. Interim Chief Proia said a facility study would be performed assessing the Fire Department needs. The study would determine which station should be considered next for renovations. Chairman Ciccone said a sub-committee was also formed to help determine and assess department needs.

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

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

#187-11 HIS HONOR THE MAYOR requesting an appropriation in the amount of sixty thousand dollars (\$60,000) from FY11 Free Cash for gasoline expenditures incurred by the Police Department. [05-31-11 @2:16 PM]

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

NOTE: Committee members were provided with gasoline costs from FY06 to the present prepared by Maureen Lemieux, Chief Financial Officer on June 6, 2011, attached to this report.

Chief Matthew Cummings stated he is requesting this appropriation for gasoline costs for the remainder of FY11. The FY12 budget of \$250,000, appears to be a more appropriate figure than FY11 budget of \$150,000.

Ald. Johnson asked if gasoline purchases were “locked in” and if so, what the cost per gallon is. Ald. Freedman asked if gasoline purchases are tax exempt.

Committee Clerk’s Note: On June 13, 2011, Ryan Ferrara, Chief of Budget and Finance, Department of Public Works in an e-mail stated, “The city has a contracted rate for gasoline of \$2.624 per gallon in FY11. This per gallon price includes the \$0.21 Massachusetts gas tax, \$0.0012 Massachusetts oil spill charge and Federal gas spill recovery fee of \$0.00172. All of the supplemental fees are mandatory and paid by all of the municipalities within the fuel consortium. The FY12 charge per gallon for gasoline is \$3.2466 including the aforementioned fees/taxes.”

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

REFERRED TO PUBLIC SAFETY & TRANS AND FINANCE COMMITTEES

#188-11 HIS HONOR THE MAYOR requesting an appropriation in the amount of one hundred seventy-five thousand dollars (\$175,000) from FY11 Free Cash for overtime expenditures incurred by the Police Department. [05-31-11 @2:16 PM]

ACTION: **APPROVED 6-0-1, Ald. Fuller not voting, Ald. Freedman abstaining**

NOTE: Chief Matthew Cummings said several cadets have graduated from the academy, but are still in the training process. Currently there are 139 patrol officers. There remains several vacant positions that must be covered using overtime funds. Five cadets are ready to go to the academy that will reduce overtime costs. Officers are also in the process of yearly recertification.

Chairman Ciccone stated it is the intention of Chief Financial Officer, Maureen Lemieux to begin discussion this summer of the financial impact of adding Police Department personnel on the overtime account.

Ald. Shapiro made the motion to approve this item. Committee members agreed 6-0-1, Ald. Fuller not voting, Ald. Freedman abstaining.

At approximately 8:45 pm, Ald. Yates made the motion to adjourn. Committee members agreed 7-0, Ald. Fuller not voting.

Respectfully submitted,

Allan Ciccone, Jr., Chairman

#170-11
#170-11

May 16, 2011

Franklin G. Stearns
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franklin.stearns@klgates.com

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

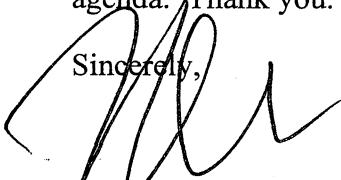
11 MAY 16 A 11:06
CITY CLERK
NEWTON, MA. 02159

Re: Boston College Bus Licenses - July 1, 2011 to June 30, 2012;
#126-10(A); #126-10(B)

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. Regarding "Type of Vehicle" in the licenses, 6 current "Gellig Phantom" buses will be replaced with 6 "Gellig Low Floor" model buses. Thus, "Gellig Low Floor" should be added to that section. Please notify us of the date and time this matter will be on your committee's agenda. Thank you.

Sincerely,



Franklin G. Stearns

FGS:kw

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

Alderman Allan Ciccone, Jr.

May 16, 2011

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Howard A. Levine, Esq.

Thomas Keady

Jeanne Levesque

P.J. Cappadona

Linda Riley

CITY OF NEWTON
IN BOARD OF ALDERMEN

July 12, 2010

TO BE ISSUED JULY 1, 2010 (TO JUNE 30, 2011)

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:

1. 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). Note that for the Law School Route only, the routes and vehicles used changes 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 St. 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 Phantom
 - b. Seating Capacity:
 1. 34 Seats plus 32 standees (66 total)

1. Propulsion system: Diesel
- c. Days and hours of Operation: **(Fall and Spring Semesters, August 19, 2010 through May 31, 2011)**
 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 St.. 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 St. 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 Phantom
 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, 2010 through May 31, 2011)**
- c. 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, 2010 – September 4, 2010):** 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. Sat./Sun./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, 2010 – August 18, 2010) 8:00 a.m. – 2:00 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

2. 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, 2010 and shall terminate on June 30, 2011** 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, 2010**. 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 **2010-2011 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 2010** 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, 2006 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, 2010** and shall expire on **June 30, 2011**. 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, 2010** and **March 15, 2011** 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 fining of invalidity.

12. The Chief of Police shall be charged with the enforcement of the Provisions of this License.

Under Suspension of Rules

Readings Waived and License Approved

21 yeas 0 nays 3 absent (Aldermen Fischman, Harney, and Lennon)



(SGD) DAVID A. OLSON

City Clerk

CITY OF NEWTON
IN BOARD OF ALDERMEN

July 12, 2010

TO BE ISSUED JULY 1, 2010 (TO JUNE 30, 2011)

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:

1. 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 Phantom

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, 2010 through May 31, 2011)**

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

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

c. 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

1. Monday – Friday:

7:00 a.m. – 8:00 p.m.

no more than 4 vehicles
no more than 8 round trips

8:00 p.m. – 2:00 a.m.

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

2. Sat./Sun./Holiday

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

e. Points of campus entry and exit:

1. Chestnut Hill: St. Ignatius Gate – entry
Edmonds Gate - exit

f. Other Operating Conditions:

1. The License term for this route shall commence on **July 1, 2010** and shall terminate on **June 30, 2011** 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. a) 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, 2010**. 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 **2010-2011** 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 2010** 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, 2011** 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, 2010** and shall expire on **June 30, 2011**. 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, 2010** and **March 15, 2011** 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. Mini 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.

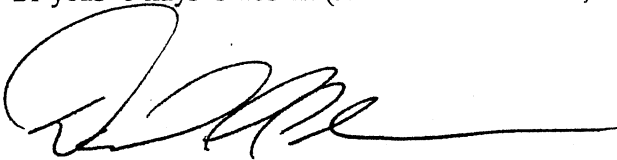
11. The provisions of this License are severable. If any of the provisions of this License are held invalid by a court of competent jurisdiction, the remaining provisions of this License shall not be affected by such invalidity and shall remain in full force and effect, provided that upon such a finding 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 3 absent (Aldermen Fischman, Harney, and Lennon)



(SGD) DAVID A. OLSON

City Clerk

CITY OF NEWTON
IN BOARD OF ALDERMEN

June 20, 2011

TO BE ISSUED JULY 1, 2011 (TO JUNE 30, 2012)

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:

1. 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). Note that for the Law School Route only, the routes and vehicles used changes 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 St. 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 Phantom
 - b. Seating Capacity:
 1. 34 Seats plus 32 standees (66 total)

1. Propulsion system: Diesel
- 2.
- c. Days and hours of Operation: **(Fall and Spring Semesters, August 19, 2011 through May 31, 2012)**
 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 St.. 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 St. 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 Phantom
 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, 2011 through May 31, 2012)**
- c.
 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, 2011 – September 4, 2011)**: 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. Sat./Sun./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, 2011 – August 18, 2011**) 8:00 a.m. – 2:00 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

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, 2011 and shall terminate on June 30, 2012** 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, 2011**. 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 **2011-2012** 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 10:00p.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 2011** 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, 2006 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, 2011** and shall expire on **June 30, 2012**. 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, 2011** and **March 15, 2012** 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

18 yeas 0 nays 6 absent (Aldermen Baker, Ciccone, Danberg, Sangiolo, Schnipper, Swiston)



(SGD) DAVID A. OLSON
City Clerk



SGD) SETTI D. WARREN
Mayor

Date: 7/18/0

#170-11(B)

CITY OF NEWTON
IN BOARD OF ALDERMEN

June 20, 2011

TO BE ISSUED JULY 1, 2011 (TO JUNE 30, 2012)

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:

1. 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 Phantom
 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, 2011 through May 31, 2012)**
 1. Monday – Friday: 7:00 a.m. – 2:00 a.m.
 2. Saturday/Sunday/Holidays: 8:00 a.m. – 2:00 a.m.
- c. 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.

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. a) 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, 2011**. 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 **2011-2012** 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 2011 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, 2012** 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, 2011** and shall expire on **June 30, 2012**. 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, 2011 and March 15, 2012** 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. Mini Coach Corporation, Boston College and the officials, trustees, agents, servants and employees of each shall hold harmless and defend the City of Newton from and against all claims, damages, demands and actions of every kind arising out of the exercise of this License.

11. The provisions of this License are severable. If any of the provisions of this License are held invalid by a court of competent jurisdiction, the remaining provisions of this License shall not be affected by such invalidity and shall remain in full force and effect, provided that upon such a finding or invalidity the City shall have the right to initiate proceedings to revise the remaining provisions of the License in a manner not inconsistent with any such fining of invalidity.

12. The Chief of Police shall be charged with the enforcement of the Provisions of this License.

Under Suspension of Rules

Readings Waived and License Approved

18 ~~years~~ 0 ~~nays~~ 6 absent (Aldermen Baker, Ciccone, Danberg, Sangiolo, Schripper, Swiston)


(SGD) DAVID A. OLSON

City Clerk


SGD) SETTI D. WARREN

Mayor
Date: 9/18/11

Taxi/Public Auto List**Docket # 169-11**

(semi-annual taxi license/public auto inspections)

prepared by Officer Rocco Marini 06/02/11

Docket #	Company	Contact	Medallion	Pass/Fail
	Veterans Taxi 175 High St Waltham, Ma 02454	Robert Kelly 617-527-0300	Medallions 1-29,66-85(Total 49) PA 2,3,11,12	PASS
	Newton Yellow Cab 25 Border St Newton, Ma 02465	Richard Johnston 617-332-7700 617-527-5555	Medallions 30-49 (Total 20)	(f)# 32 inspection sticker (f) # 49 needs replacement (f) # 36 internal fire
	Holdens Taxi 50 Union St Newton, Ma 02459	George Marry 617-969-4168	Medallions 59, 60, 61	PASSED
	Newtonville Taxi 50 Union St Newton, Ma 02459	George Marry 617-969-4168	Medallions 54, 55	PASSED
	Newton Taxi 50 Union St Newton, Ma 02459	George Marry 617-969-4168	Medallions 56,57,58	PASSED
	Newton Cab 72 Beaver St Waltham ,Ma 02453	Medhi Houlani 617-332-1322 509-275-6198	Medallion 65	PASSED
	Newton Luxury Cab 1359 Centre St Newton, Ma 02459	Mohamed Saidi 617-293-4300	Medallion 65	PASSED
	Newton Town Taxi 4 Cedar St #405 Wellsley, Ma 02481	Anis Lahiani 617-244-7444	Medallion 53	PASSED
	Newton Metro Cab 31 Irving St Apt A-8 Watertown, Ma 02472	Ahcene Touri 617-947-2191	Medallion 52	PASSED
	Apollo Taxi & Livery 30 Revere Beach Pkwy #206 Medford,, Ma 02155	Saibi Riadh 781-526-8866	PA 15	FAILED (NOT REPLIED) in 2 years
	Beantown Carriage LLC 73 Charlesbank Rd Newton, Ma 02465	Mark Belenkii Igor 617-594-5995	PA 7	PASSED
	Bills Nice Ride 25 Curve St Newton ,Ma 02465	William Turner 617-312-3602	PA 13	PASSED

	Crystal Lake Express 15 Moreland Ave Newton, Ma 02459	Dorothy Dundas	PA 6	PASSED
	J&J Sedan Service 121 Fesseden St Newton, Ma 02460	Joseph Dragone 617-527-2486	PA 1	PASSED
	New England Car Service 20 Clinton Ave Danvers MA	Neal Parker 508-404-3332	PA 14	Moved business to Danvers
	Weldon Executive Coach 253 Riverview Ave Newton Ma	Jerald Robbins 617-828-4990 617-928-1888	PA 4,5,9,10	(f) # 4 hasn't been available for inspection
	Newton Coach Inc 275 Grove St STE 2- 400 Newton, Ma, 02466	David Newcomb 781-647-8294	PA 16	PASSED
	Newton Car Service 163 Lexington St Newton MA	617-244-9044 781-690-1477	PA 8	PASSED



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#189-11

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

May 31, 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 appropriate the sum of \$25,000 from FY11 Free Cash to Acct # 0121009-5412 for heating oil costs incurred by the Fire Department.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

11 MAY 31 P 2:16
CITY CLERK
NEWTON, MA 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

FIRE
DEPARTMENT
HEATING
OIL/NATURAL
GAS COSTS

<u>YEAR</u>	<u>HEATING OIL</u>	<u>NATURAL GAS</u>	<u>TOTAL</u>
FY06 ACTUALS	\$ 86,204.00	\$ 11,740.00	\$ 97,944.00
FY07 ACTUALS	\$ 115,032.00	\$ 13,945.00	\$ 128,977.00
FY08 ACTUALS	\$ 85,544.00	\$ 10,930.00	\$ 96,474.00
FY09 ACTUALS	\$ 194,544.00	\$ 15,168.00	\$ 209,712.00
FY10 ACTUALS	\$ 90,162.00	\$ 27,535.00	\$ 117,697.00
FY11 ORIG BUDGET	\$ 79,869.00	\$ 30,335.00	\$ 110,204.00
FY11 YTD	\$ 82,840.00	\$ 39,528.00	\$ 122,368.00
FY12 BUDGET	\$ 69,869.00	\$ 40,335.00	\$ 110,204.00



SETTI D. WARREN
MAYOR

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Office of the Mayor

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swarren@newtonma.gov

May 31, 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 appropriate the sum of \$60,000 from FY11 Free Cash to Acct # 0120108-5480 for gasoline expenditures incurred by the Police Department.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

11 MAY 31 P 2:16
CITY CLERK
NEWTON, MA. 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



MATTHEW A. CUMMINGS
CHIEF OF POLICE

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

May 24, 2011

Board of Aldermen
1000 Commonwealth Avenue
Newton Centre, MA. 02459

Dear Members of the Board:

I am requesting a special appropriation in the amount of \$60,000 to be placed in police gasoline account 01 201 08 5480. Please disregard the previous request from the police department for gasoline monies.

Thank you for your consideration in this matter.

Very truly yours,

for
A handwritten signature in cursive script that reads "Matthew A. Cummings".

Matthew A. Cummings
Chief of Police

MAC;j

FIRST ACCREDITED CITY POLICE DEPARTMENT IN MASSACHUSETTS



POLICE DEPARTMENT GASOLINE COSTS

<u>YEAR</u>	<u>GASOLINE</u>
FY06 ACTUALS	\$ 179,054.00
FY07 ACTUALS	\$ 237,909.00
FY08 ACTUALS	\$ 176,635.00
FY09 ACTUALS	\$ 301,799.00
FY10 ACTUALS	\$ 158,541.00
FY11 ORIG BUDGET	\$ 158,065.00
FY11 YTD	\$ 150,445.00
FY12 BUDGET	\$ 250,000.00



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#188-11

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(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

May 31, 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 appropriate the sum of \$175,000 from FY11 Free Cash to Acct # 0120103-513001 for overtime expenditures incurred by the Police Department.

As you may know, several cadets have graduated from the academy, but are still in the process of shadowing and being trained by experienced officers. Additionally, there are several vacant patrol officer positions that must be covered by overtime.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

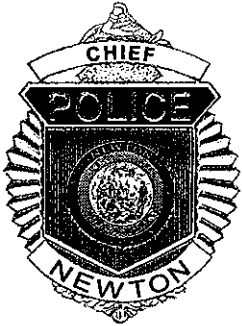
11 MAY 31 P 2 16
CITY CLERK
NEWTON, MA. 02159

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

May 23, 2011

Board of Aldermen
1000 Commonwealth Avenue
Newton Centre, MA. 02459

Dear Members of the Board:

I am requesting a special appropriation in the amount of \$175,000.00 to be placed in police overtime account 01 201 03 513001. Please disregard any previous requests for overtime.

Thank you for your consideration in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Matthew A. Cummings".

Matthew A. Cummings
Chief of Police

MAC:j

FIRST ACCREDITED CITY POLICE DEPARTMENT IN MASSACHUSETTS

