

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE AGENDA

WEDNESDAY, NOVEMBER 16, 2011

8:15 pm  
Room 202

**ITEMS SCHEDULED FOR DISCUSSION:**

The Committee will meet jointly with the Public Facilities Committee to receive an update on the Fire Station renovation.

#386-11      ZAKARIA ATROUSSE, 9 Hazelwood Street, Malden, MA 02148, requesting **two (2) new public auto licenses** for Boston City Limousine. [11/08/11 @ 12:26 PM]

#387-11      ROBERT KEEFE, 266 Nevada Street, Newton 02460, requesting **one (1) public auto license** for Charter Rides, Inc. [11/09/11 @ 11:12 AM]

#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**

**It is the Chairman's intention to entertain a motion to vote No Action Necessary on the following items:**

#85-11      ALD. CICCONE AND FULLER requesting a discussion of the financial impact of adding Police Department personnel on the overtime account. [03/14/11 @ 9:17 AM]  
**HELD 4-0 on 03/23/11**

#97-11      PARTNERS HEALTHCARE applying for a bus license to operate a fixed route shuttle service with stops in Newton. [03/28/11 @ 2:19 PM]

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 Trisha Guditz at 617-796-1156 or [tguditz@newtonma.gov](mailto:tguditz@newtonma.gov) or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting.

**ITEMS NOT SCHEDULED FOR DISCUSSION:****REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

- #383-11 HIS HONOR THE MAYOR submitting the FY13-FY17 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter and the FY12 Supplemental Capital budget which require Board of Aldermen approval to finance new capital projects over the next several years. [10/31/11 @ 3:12 PM]
- #335-11 ALD. JOHNSON, ALBRIGHT & LINSKY, filing on October 19, 2011 an appeal from the decision of Traffic Council on October 13, 2011 to approve TC51-11 as follows:  
*The following streets were approved to be designated TIGER Permit areas: Beaumont Avenue between Hull Street and Prospect Avenue, Blithedale Street, Bolton Road, Calvin Road, Clyde Street, Dexter Road, Fairfield Street, Gay Street, Highland Avenue between Lowell Avenue and Walnut Street, Kimball Terrace, Lowell Avenue between Craigie Terrace and Highland Street, Lowell Avenue between Calvin Road and Highland Avenue, Otis Street between Walden and Walnut, Pulsifer Street, public portion of Trowbridge Avenue, Walden Street.*
- #336-11 ALD. JOHNSON, ALBRIGHT & LINSKY, filing on October 19, 2011 an appeal from the decision of Traffic Council on October 13, 2011 to approve TC52-11(h) as follows:  
*(h) no more than 70 permits will be issued to students that will allow them to override existing time limits and resident parking restrictions and park on public ways that are approved by TC51-11 between the hours of 7:00 a.m. and 4:00 p.m. on school days, provided the following: (1) students can only be assigned to one side of each street approved by TC51-11, and (2) the maximum number of permits issued to students per street cannot exceed the number of houses that have frontage along the TIGER Permit designated side of the street.*
- #289-11 ALD. HESS-MAHAN, SWISTON, SALVUCCI, requesting a discussion with the Animal Control Department regarding the presence of coyotes in Newton and the recent attack on a dog in West Newton. [10/06/11 @ 9:07 AM]
- #278-11 ALD. YATES, requesting a report from His Honor the Mayor on the likely impacts on traffic in Newton from the changes to the Route 9/128 intersection as part of the Add-A-Lane Project. [09/26/11 @ 2:37 PM]  
**HELD 6-0 (Ald. Shapiro not voting) on 10/19/11**

**REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES**

- #262-11 HIS HONOR THE MAYOR requesting amendments to Chapter 17 of the City of Newton Ordinances, 2007 to increase fees for permits issued by the Fire Department. [08/29/11 @ 3:50 PM]

#233-11 ALDERMEN CROSSLEY, YATES AND RICE requesting a discussion with the Massachusetts Department of Conservation & Recreation (DCR) regarding design and location of the recently created pedestrian access from Quinobequin Road to the revised DCR trail parallel to the Charles River, where pedestrians are concealed and unprotected from oncoming traffic, and further to consider redesign and/or relocation to make access points to the trail safe for both pedestrians and drivers. [08/01/11 @ 4:18 PM]

#156-11 ALD. YATES requesting a report from the Massachusetts Bay Transportation Authority on the physical condition of the bridge that carries the MBTA Green Line over Route 9 near Eliot Station. [05/02/11 @ 10:51 PM]

#137-11 ALD. DANBERG AND FULLER requesting possible changes to City Ordinance 19-191, Parking Meter Fees, to require a minimum purchase at long-term parking meters in order to discourage short-term use. [4/26/11 @ 9:52 AM]  
**HELD 6-0 (Ald. Freedman not voting) on 05/18/11**

**REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEE**

#41-11 ALD. JOHNSON, LENNON AND DANBERG requesting discussion of the elimination, except during snow emergencies, of the overnight parking ban which is in effect from November 15 through April 15. [01/18/11 @ 9:00 PM]  
**PUBLIC FACILITIES HELD 6-0 (Ald. Salvucci not voting) on 02/09/11**  
**HELD 6-0 on 02/09/11**

#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 6-0 on 02/09/11**

Respectfully submitted,

Allan Ciccone, Jr. Chairman

**TAXI/PUBLIC AUTO CONTACT LIST**

Docket #	Company	Contact	Medallion	Pass/Fail
#386-11	Boston City Limousine 9 Hazelwood St. Malden 02148	Zakaria Atrousse 1-866-581- 0347	PA # and PA #	PASSED
#387-11	Charter Rides, Inc. 266 Nevada St. Newton 02460	Robert Keefe 617-999-9799	PA #	PASSED



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
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**#49-10**  
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www.newtonma.gov

Candace Havens  
Director

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**M E M O R A N D U M**

To: Public Safety and Transportation Committee Members  
From: Candace Havens, David Koses  
RE: #49-10  
Date: November 16, 2011  
CC: Marie Lawlor

This memorandum provides the Public Safety and Transportation Committee with information as related to docket item #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.

Section 85-11b of the Massachusetts General Laws states that bicycles may be ridden on sidewalks outside business districts when necessary in the interest of safety, unless otherwise directed by local ordinance. A person operating a bicycle on the sidewalk shall yield the right-of-way to pedestrians and give an audible signal before overtaking and passing any pedestrian.

Section 26-26(a) of the Newton Ordinance states that **"the use of velocipedes by children under eight (8) year of age is permitted on the sidewalks of the city"**. (The term "velocipede" is today, mainly used as a collective term for the different forerunners of the monowheel, the bicycle, the dicycle, the tricycle and the quadracycle developed between 1817 and 1880.)<sup>1</sup> This means that persons over the age of eight years are not currently permitted to ride bicycles on sidewalks in Newton. To make it legal for persons over age eight to bicycle on sidewalks, the Board of Alderman may choose one of the following two options: (a) Increase the age limit specified in Section 26-26(a); or (b) Delete Section 26-26(a). By deleting Section 26-26(a), the state law would take effect, allowing bicycles to be ridden on sidewalks outside business districts.

The minutes prepared for the March 3, 2010 Public Safety and Transportation Committee meeting indicated that members of the Newton Bicycle-Pedestrian Task Force expressed were concerned that the City ordinance limits bicycles from coasting on streets and from parking on sidewalks. While Section 19-3 of the Newton Ordinance indicates that no person shall coast in any street way, the Law Department clarified that this section of the ordinance refers to sleds, not to bicycles, and that bicycles are clearly permitted to coast on City streets. The Law Department also clarified that bicycles are, in fact, permitted to park on sidewalks. Section 19-9 establishes a fine for vehicles parked on sidewalks, but this refers to motorized vehicles and not to bicycles. In addition, State law would override any local restriction that may prevent bicycles from parking on sidewalks.

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<sup>1</sup> <http://en.wikipedia.org/wiki/Velocipede>