



Programs & Services Committee Agenda

City of Newton In City Council

RECEIVED
By City Clerk at 11:06 am, Aug 31, 2017

Tuesday, September 5, 2017

POSTED
City Clerk

7:00PM – NOTE EARLY START
Room 211

Items Scheduled for Discussion:

- #261-17** **Request to recognize September as Childhood Cancer Awareness Month**
COUNCILOR LIPOF requesting the City Council and the City recognize September as Childhood Cancer Awareness Month. [008/11/17 @ 8:30 AM]
- #235-17** **Mayor's appointment of Karl Munger to the Biosafety Committee**
KARL MUNGER, 5 Nightingale Path, Newton, appointed as a member of the BIOSAFETY COMMITTEE for a term to expire September 30, 2020. (60 days 10/13/17) [07/12/17 @ 2:25 PM]
- #243-17** **Mayor's appointment of Julie A. Norstrand to the Council on Aging**
JULIE A. NORSTRAND, 44 Stearns Street, Newton, appointed as a COMMISSIONER of the NEWTON COUNCIL ON AGING for a term to expire September 30, 2020. (60 days 10/13/17) [08/02/17 @ 2:23 PM]
- #245-17** **Mayor's appointment of Chryse Gibson to the Council on Aging**
CHRYSE GIBSON, 19 Hampden Terrace, Newton, appointed as a COMMISSIONER of the NEWTON COUNCIL ON AGING for a term to expire September 30, 2020. (60 days 10/13/17) [08/02/17 @ 2:23 PM]
- #244-17** **Mayor's appointment of Donna Murphy to the Council on Aging**
DONNA MURPHY, 496 Commonwealth Avenue, Newton, appointed as a COMMISSIONER of the NEWTON COUNCIL ON AGING for a term to expire September 30, 2020. (60 days 10/13/17) [08/02/17 @ 2:23 PM]
- #236-17** **Mayor's re-appointment of Edward Marple to the Biosafety Committee**
EDWARD MARPLE, 12 Ohio Avenue, Newton, re-appointed as a member of the BIOSAFETY COMMITTEE for a term to expire September 30, 2019. (60 days 10/13/17) [07/12/17 @ 2:25 PM]

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the City of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

#237-17 Mayor's re-appointment of John J. Schwartz to the Biosafety Committee
JOHN J. SCHWARTZ, 200 Upland Road, Newton, re-appointed as a member of the BIOSAFETY COMMITTEE for a term to expire September 30, 2020. (60 days 10/13/17) [07/12/17 @ 2:25 PM]

#242-17 Mayor's re-appointment of Dana Hanson as Library Trustee
DANA HANSON, 64 Kingswood Road, Newton, appointed as a LIBRARY TRUSTEE for a term to expire June 30, 2021. (60 days 10/13/17) [07/12/17 @ 2:25 PM]

Clerk's Note: There is a recommendation to NAN the following item:

Referred to PS&T, Programs & Services, Public Facilities and Finance Committees

#59-17 Appropriate \$350,000 for construction of a Parks & Recreation/Police building
HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from Overlay Surplus for the purpose of funding the construction of a new combined Parks & Recreation and Police Department facility to be located at the Elliot Street DPW yard. [02/17/17 @ 9:29 AM]

Items not Scheduled for Discussion at this meeting:

- #238-17** **Mayor's appointment of Geline W. Williams as Library Trustee**
GELINE W. WILLIAMS, 12 Hereford Road, Waban, appointed as a LIBRARY TRUSTEE for a term to expire June 30, 2020. (60 days 10/13/17) [07/12/17 @ 2:25 PM]
- #239-17** **Mayor's appointment of Joshua Steirman as Library Trustee**
JOSHUA STEIRMAN, 90 Atwood Avenue, Newtonville, appointed as a LIBRARY TRUSTEE for a term to expire June 30, 2022. (60 days 10/13/17) [07/12/17 @ 2:25 PM]
- #240-17** **Mayor's appointment of Jean Notis-McConarty as Library Trustee**
JEAN NOTIS-McCONARTY, 122 Temple Street, West Newton, appointed as a LIBRARY TRUSTEE for a term to expire June 30, 2020. (60 days 10/13/17) [07/12/17 @ 2:25 PM]
- #241-17** **Mayor's appointment of Sharon Stout as Library Trustee**
SHARON STOUT, 9 Elmwood Park, Newton appointed as a LIBRARY TRUSTEE for a term to expire June 30, 2020. (60 days 10/13/17) [07/12/17 @ 2:25 PM]
- #208-17** **Proposal to place a nonbinding advisory question on the ballot**
PETER HARRINGTON, ET AL., requesting that the following non-binding question be placed on the November 7, 2017 municipal ballot: "Do you support rezoning village centers to allow four- and five-story mixed-use buildings near public transit with retail on the first floor and apartments above, as the City is recommending to update Newton's Zoning Ordinance for future growth?" [07/03/17 @ 2:59 PM]
- A Public Hearing will be held on the following item on September 6th:*
- #137-17** **Request to discuss and repeal Welcoming City ordinance**
SANDE YOUNG ET AL. requesting discussion and to repeal Ordinance A-102, the Welcoming City ordinance, or put the ordinance before the voters in the next municipal election. [04/28/17 @ 11:57 AM]
- #138-17(2)** **Request to place question of new Charter on the November ballot**
CITY CLERK requesting the City Council, as required by MGL 43B, Section 11, order the Newton Charter Commission's proposed new charter to be submitted to the voters of the City of Newton for their approval on the November 7, 2017 municipal ballot. The ballot question to read: "Shall the City of Newton approve the new home rule charter recommended by the Charter Commission as summarized below: Yes. No." [06/14/17 @ 2:42PM]

- #246-17** **Citizens Petition requesting a resolution supporting later high school start time**
JEFFREY PONTIFF ET AL. submitting a petition, pursuant to Section 10, Section 2 of the City of Newton Charter, requesting a Resolution from the City Council acknowledging the scientifically documented benefits of a later school time and supporting the Newton Public Schools to take action to delay high school start times.[07/28/17 @ 1:30 PM]
- #247-17** **Citizens Petition requesting measures limiting City Council action to city issues**
JANET STERMAN ET AL. submitting a petition, pursuant to Section 2 of the City of Newton Charter, for the City to adopt measures so that all new matters taken under discussion by the City Council pertain solely to the operation of the City; that all matters presented to the City Council pertaining to the operation of the Commonwealth of Massachusetts be referred to state Representatives and Senators representing the City of Newton; and that all matters pertaining to the operation of the United States federal government be referred to the United States Representatives and Senators representing Massachusetts. (90 days: 11/12/17) [07/31/17 @ 10:10 AM]
- #193-17** **Rules amendment: Referral of business**
CITY CLERK requesting a Rules amendment to Section 3, Referral of business to Committees, Item D by replacing the word “petition” in the first sentence with the words “docket item.” [06/09/17 @ 4:02PM]
- #194-17** **Rescission of date and time notation on docket items**
CITY CLERK requesting rescission of Council Order #369-06 ALD. JOHNSON requesting that all newly docketed items, when appearing on the new docket, shall include the date and time that the item was received by the Clerk’s office and the name of the clerk who received the item. [06/09/17 @ 4:02PM]
- #56-16** **Ordinance amendment to add statutory references to policy on housing practices**
COUNCILOR HESS-MAHAN requesting an amendment to Chapter 12, Section 50(b) *Policy of the city regarding housing practices*, to add statutory references to Title VI of the Civil Rights Act of 1964; the Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act; and any other applicable state or federal laws that were inadvertently omitted from the current ordinance. [02/08/16 @ 1:51 PM]
- #300-16** **Ordinance to register lobbyists**
COUNCILORS COTE, NORTON AND HARNEY proposing an ordinance to register lobbyists in the City of Newton. [08/10/16 @ 3:11 AM]
- #158-16** **Ordinance to require notice on gas pumps relative to climate change**
COUNCILORS NORTON AND SANGIOLO requesting an ordinance that requires a notice posted on retail gas station pumps within the City of Newton that informs

consumers that burning gasoline contributes to climate change; and a link to a City website page offering information regarding alternatives to gasoline powered transportation, including walking, biking, public transit and electric vehicles. [04/25/16 @ 9:02 AM]

#31-15(6) Amendment to noise ordinance relative to leaf blowers
COUNCILOR LEARY proposing to amend Chapter 20, Restrictions on use of leaf blowers, to specify permitted hours of use of electric and battery powered leaf blowers from Memorial Day through Labor Day and to exclude, at all times, the use of gasoline or fuel-based generators to charge leaf blower batteries or to power electric leaf blowers. [03/13/17 @ 3:26PM]

#34-13 Ordinance to prohibit polystyrene food/beverage containers
ALD. DANBERG, ALBRIGHT, BLAZAR, RICE, LINSKY AND CROSSLEY requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments within the City. [01/03/13 @ 11:01 AM]

Referred to Programs & Services and Public Safety & Transportation Committees

#46-17 Discussion regarding how community policing works
COUNCILOR ALBRIGHT requesting a discussion with the Chief of Police and/or members of his department to explain to the City Council how “community policing” works in Newton, how it differs from traditional policing, how staffing differs from traditional departments, and how it benefits Newton. [02/20/17 @ 3:21 PM]

#363-16 Amendment to the City Council Rules for yearly review of City Clerk’s salary
PRESIDENT LENNON AND VICE PRESIDENT LAPPIN requesting an amendment to Article XI of the Rules and Orders of the City Council to require an annual review of the salary of the City Clerk/Clerk of the Council. [10/26/16 @ 3:58 PM]

Referred to Programs & Services and Public Facilities Committees

#344-16 Discussion regarding oversight of all city/school buildings to improve efficiencies
COUNCILOR LAPPIN requesting a discussion regarding the Public Buildings Department overseeing all public buildings, including School Department facilities, to improve efficiencies. [10/07/16 @ 10:47 AM]

#301-16 Amendment to the Tree Preservation Ordinance
COUNCILOR SANGIOLO requesting an amendment to the Tree Preservation Ordinance so that any tree removal requested by a city department be forwarded to the Urban Tree Commission and all tree removal requests under the Tree Preservation Ordinance be posted online to give residents and interested citizens notification. [08/09/16 @10:30 PM]

#264-16 Ord. requiring Councilor notice of and involvement in street tree waiver requests

COUNCILORS HESS-MAHAN, NORTON, KALIS, COTE, DANBERG, HARNEY, SANGIOLO, LEARY AND YATES requesting an ordinance requiring that Councilors from each respective ward be given notice and a meaningful opportunity to object to granting a hardship waiver or permit to remove a street tree. [07/21/16 @ 11:40 AM]

Referred to Land Use, Programs & Services, and Finance Committees

- #256-16** **Request to extend notification area of notice for special permit petitions**
COUNCILORS COTE, NORTON, HARNEY, BLAZER, BROUSAL-GLASER, AND LEARY requesting an amendment to the City Council Rules, Article X; Section 6 – Additional Notification Requirements, to include that the area of notice for special permit petitions be expanded beyond the abutters to abutters within 300’ required by Massachusetts General Law Chapter 40A to also include property owners within 600’ of the subject property. This notification will apply to all classes of building except for residential 1 and 2-family units that will remain 1 or 2-family units after receiving a special permit. Only abutters to abutters within 300’ will be entitled to the rights conferred by Massachusetts General Law Chapter 40A [07/01/16 @2:09 PM]

Referred to Programs & Services and Public Facilities Committees

- #141-15** **Discussion on tracking the gas utility infrastructure in Newton**
ALD. BROUSAL-GLASER, SANGIOLO, HESS-MAHAN, COTE, NORTON AND ALBRIGHT requesting a discussion with *the Director of Urban Forestry*, a representative of the Department of Public Works and a representative of the Law Department about tracking and improving the condition of the gas utility infrastructure in Newton, new state statutes governing infrastructure repairs, coordination of increased repair work with city operations, the status of negotiations with National Grid to compensate for tree deaths resulting from gas leaks, and the possibility of creating a utilities working group to monitor progress on these and related issues. 05/26/15 @ 2:53 PM]

Referred to Programs & Services and Public Facilities Committees

- #201-15** **Discussion of the condition of the Kennard Estate on Dudley Road**
ALD. SANGIOLO requesting a discussion with the Commissioner of Public Buildings, the Commissioner of Parks and Recreation, and the Executive Department regarding the condition of the property located at 246 Dudley Road (Kennard Estate) and how much, if any, repairs and upgrades will be needed as the City relocates the Parks and Recreation Department to that location. [09/01/15 @ 4:00 PM]
- #483-14** **Resolution to promote cooperative programs with food establishments**
PROGRAMS & SERVICES COMMITTEE proposing a RESOLUTION to promote a cooperative program with food establishments in the City, the Newton-Needham Chamber of Commerce, the Economic Development Commission, the Director of

Economic Development and members of the Board of Aldermen, to find opportunities for these establishments to provide their food services for events in the City. [12/02/14 @ 3:56 PM]

Referred to Programs & Services and Finance Committees

#216-14

Ordinance amendment for notification of vacancy of unit and/or condo conversion

ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, NORTON AND SANGIOLO

proposing the following amendments to Chapter 12 Health and Human Services of the Revised Ordinances to:

- require owners of dwellings requiring a Certificate of Habitability under Section 12-1 and real estate agents/brokers who receive compensation in connection with the particular real estate transaction to notify the Commissioner of Health and Human Services whenever an apartment, tenement, or room in a lodging house is vacated by the occupant or when an area in an existing building is converted to a condominium prior to being reoccupied by a new tenant, lodger or occupant;
- require educational institutions to disclose addresses of undergraduates living off-campus in Newton;
- require a fee for certification; and
- impose a fine for violation of these provisions. [05/14/14 @11:51 AM]
FINANCE VOTED NO ACTION NECESSARY 7-0 12/14/15

#398-13

Discussion of complementary ordinance or regulations for Marijuana Dispensaries

ALD. BAKER & DANBERG requesting a discussion of a possible ordinance, regulations or otherwise, to complement zoning regulation of any licensed Registered Marijuana Dispensaries to respond to any secondary impacts so as to make the operation of such dispensaries as successful as possible. [10/28/13 @ 10:00 AM]

UPDATE ITEMS:

Referred to Programs & Services Committees and Public Facilities

#12-17

Request for updates on the Library Expansion Project

COUNCILORS CROSSLEY, ALBRIGHT AND BLAZAR requesting periodic updates from the Library Trustees and Library Director on the Library expansion project. [01/03/2017 @ 3:55 PM]

Referred to Programs & Services Committees and Public Facilities

#13-17

Request for updates on the Archive Expansion Project

COUNCILORS CROSSLEY, ALBRIGHT, AND BLAZAR requesting periodic updates from the City Clerk on the Archives expansion project. [01/03/2017 @ 3:56 PM]

Referred to Programs & Services and Public Facilities Committees

- #27-16** **Updates from the Administration on the renovations at the Aquinas site**
PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES requesting that the School Department and/or Executive Department provide updates on removal of asbestos and other toxic materials that were identified at the Aquinas site, the scope and timing of window replacement in particular, and renovations that may be necessary to facilitate short and long-term plans for uses and operations at the site. [01/10/16 @ 1:14 PM]

Referred to Programs & Services and Public Safety & Transportation Committees

- #312-15** **Update from Health Department on opiate overdose epidemic**
ALD. COTE, HARNEY AND NORTON, requesting a review and discussion of the opiate overdose epidemic including an update from the Health Department appraising the board on the current situation to include comparative statistics from previous years as to the number of opiate overdoses handled by first responders. In addition, what is being done immediately to take this on and what support can the Board provide
- #377-14** **Discussion of proposed changes of use of the Senior Center**
THE PROGRAMS & SERVICES COMMITTEE requesting a discussion with the Director of Senior Services, the Council on Aging and the Executive Department relative to changes in the use of the Senior Center at 345 Walnut Street. [10/16/14 @ 5:43 PM]

Referred to Programs & Services and Public Facilities Committees

- #119-14** **Update from Inspectional Services on ADA compliance of City properties**
ALD. ALBRIGHT AND CROSSLEY requesting discussion with the Inspectional Services Department to explain the development of short and long term plans to identify and correct buildings, sidewalks, playgrounds, etc., that do not conform to American Disability Act (ADA) standards. The discussion should include information on how improvements will be incorporated into the Capital Improvement Plan or if less than \$75,000 into a comprehensive budget plan to correct ADA deficiencies. [03/12/14 @ 4:18 PM]

Respectfully Submitted,

John B. Rice, Chair