



Programs & Services Committee Agenda

City of Newton In City Council

RECEIVED
By City Clerk at 10:03 am, Nov 02, 2017

Wednesday, November 8, 2017



7:00PM – NOTE EARLY START

Room 211/Council Chamber

Items Scheduled for Discussion:

Referred to Programs & Services and Finance Committees

#351-17

Bond authorization for \$215,000 to purchase a bucket truck for the Forestry Div
HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifteen thousand dollars (\$215,000) from bonded indebtedness for the purpose of purchasing a bucket truck for the Forestry Division of the Parks and Recreation Department. [10/30/17 @ 2:15 PM]

Referred to Programs & Services and Finance Committees

#352-17

Bond authorization for \$213,000 to renovate tennis courts at McGrath Park
HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred thirteen thousand dollars (\$213,000) from bonded indebtedness for the purpose of renovating three tennis courts at McGrath Park. [10/30/17 @ 2:15 PM]

Referred to Programs & Services and Finance Committees

#353-17

Bond authorization for \$192,000 for two Parks & Recreation trash/recycling trucks
HIS HONOR THE MAYOR requesting authorization to appropriate and expend one hundred ninety two thousand dollars (\$192,000) from bonded indebtedness for the purpose of replacing the current Parks & Recreation trash truck with two F-550 6-cubic yard packers – one for trash and one for recycling. [10/30/17 @ 2:14 PM]

#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]

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.

Referred to Programs & Services and Zoning & Planning Committees

- #276-17** **Ordinance amendments to allow food trucks**
THE ECONOMIC DEVELOPMENT COMMITTEE, COUNCILORS FULLER, HESS-MAHAN, KALIS, LENNON, LIPOF, NORTON, AND SANGIOLO requesting to amend Chapter 17, Sections 17-46 through 17-50 to allow Food Trucks to locate and operate on public streets in Newton subject to licensing by the Health Department and to location permitting requirements, initially restricted to Wells Avenue; to introduce new rules applicable to all Food Trucks operating in the City; and requesting to amend Chapter 30 to allow Food Trucks in the Public Use District subject to the same restrictions and requirements. [08/24/17 @ 4:17 PM]
- Public Hearing to be held on the following item:*
- #313-17** **Amendment to City Charter to change the composition of the City Council**
COUNCILORS BROUSAL-GLASER, BLAZAR, CICCONE, COTE, DANBERG, HARNEY, KALIS, LAPPIN, LAREDO, LIPOF, NORTON, RICE, SANGIOLO AND SCHWARTZ requesting that if the Charter Commission proposal is not approved by voters on November 7, 2017, the City Council seek Home Rule Legislation to amend the City Charter to change the composition of the City Council from 16 Councilors-at-Large and 8 Ward Councilors, to 8 Councilors-at-Large and 8 Ward Councilors. [09/25/17 @9:03 PM]
- #322-17** **Mayor's appointment of Peter Doherty to Newton Commonwealth Foundation**
PETER DOHERTY, 66 Harvard Street, Newtonville appointed as a member of the NEWTON COMMONWEALTH FOUNDATION for a term to expire December 31, 2020. (60 days 12/15/17) [10/06/17 @ 8:47 AM]
- #323-17** **Mayor's re-appointment of Marietta Marchitelli to Jackson Homestead**
MARIETTA MARCHITELLI, 100 Waverly Avenue, Newton re-appointed as a Trustee of the JACKSON HOMESTEAD for a term to expire November 1, 2020. (60 days 12/15/17) [09/27/17 @ 3:33 PM]
- #324-17** **Mayor's re-appointment of Russel Feldman to Jackson Homestead**
RUSSEL FELDMAN 85 Langley Road, Newton Centre, re-appointed as a Trustee of the JACKSON HOMESTEAD for a term to expire November 1, 2020. (60 days 12/15/17) [09/27/17 @ 3:33 PM]
- #336-17** **Mayor's re-appointment of Thekla Diehl to Biosafety Committee**
THEKLA DIEHL, 102 Parker Avenue, Newton re-appointed as a member of the BIOSAFETY COMMITTEE for a term to expire December 31, 2020. (60 days 1/5/18) [10/13/17 @ 3:23 PM]

Items Not Scheduled for Discussion at this Meeting:

Public Hearing continued to December 6:

#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]

Public hearing to be assigned for December 6, 2017

#337-17 Citizens Petition requesting an ordinance mandating NPS curriculum transparency
CHARLES JACOBS ET AL. submitting a petition, pursuant to Section 10, Section 2 of the City of Newton Charter, requesting an ordinance mandating the Newton Public School system to publicize on the internet all curricular materials, sources, syllabi, teacher and student workshops, as well as school calendars publicizing invited guest speakers and/or organizations and designated student field trips in each of the grades from K-12. [10/31/17 @ 11:34 AM]

Referred to Prog & Serv, Pub Safety & Trans, Zoning & Planning & Finance Comms

#140-14 (2) Amend ordinances to add licensing requirements and criteria for lodging houses
ZONING & PLANNING COMMITTEE requesting to amend Chapter 17, City of Newton Ordinances, to establish licensing requirements and criteria for lodging houses.]

#294-17 Acceptance of MGL to allow cooking facilities in lodging houses
COUNCILORS CROSSLEY, HESS-MAHAN AND NORTON requesting to accept the provisions of MGL c. 140 Section 22A allowing cooking facilities in Lodging Houses on a limited basis.

#325-17 Request to increase capacity for stewardship of open space assets
COUNCILORS ALBRIGHT, LEARY AND CROSSLEY requesting that the Council and Mayor more effectively address one of the goals of the Open Space Plan: "To undergird the City's capacity for sound stewardship of its open space assets." The plan reflects our community's concern about the quality of our parks, playgrounds, open space, facilities, and equipment as regards the resources in the budget for these things. We ask that the Mayor develop and the City Council approve a long-range comprehensive plan and strategy to properly care for and maintain Newton's open space and park facilities across the city for maximum public benefit. We also ask for a comparison per capita regarding how much we spend on our parks as

compared to other cities and town with whom we often compare ourselves.
[09/28/17 @ 2:08 PM]

- #297-17** **Requesting Purple Heart Designation for the City of Newton**
COUNCILORS YATES, COTE, FULLER, DANBERG AND NORTON requesting that the Veteran's Agent and the Executive Office take all necessary steps to designate Newton as a Purple Heart City. [09/05/17 @ 7:08PM]
- #298-17** **Requesting feasibility report on establishing Summer Food Service Program**
COUNCILORS YATES, FULLER, NORTON, SANGIOLO AND LENNON requesting His Honor the Mayor report to the City Council and the School Committee on the feasibility of establishing a Summer Food Service Program in Newton and to implement and application for such program. [09/06/17 @ 2:28PM]
- #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]
- #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]
- #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]

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]

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