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City Council Reports Docket

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City Clerk

September 7: Public Safety & Transportation, Public Facilities
September 12: Finance
September 13: Land Use

Tuesday, September 6, 2016
Continued
Page 194
7:45 PM, Newton City Hall
To be reported on
Monday, September 19, 2016

City of Newton In City Council Items to be Acted Upon

Referred to Land Use Committee September 13, 2016

Present: Councilors Laredo (Chair), Schwartz, Crossley, Lipof, Auchincloss, Harney, Cote; also present: Councilors Baker, Norton, Leary, Albright, Fuller, Blazar.

#283-16 **McGOVERN CHRYSLER JEEP DODGE RAM**
777 Washington Street
Newton, MA. 02460 Class 1
Land Use Approved 5-0 (No Cote, Harney)

#180-16 **Special Permit Petition to rezone the Orr block to Mixed Use 4**
MARK NEWTONVILLE, LLC. petition for **SPECIAL PERMIT/SITE PLAN APPROVAL** for a change of zone to MIXED USE 4 for a portion of land located at Walnut Street, Washington Street, Washington Terrace, also identified as Lots 10, 11, 12, 13, 14, 16, 19, 20, 21, 22, Block 29, Map 201 currently zoned Business 1 and Business 2.
Public Hearing Opened on June 7, 2016 and continued to July 12, 2016.
Land Use Held 7-0

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.

#179-16

Special Permit Petition for Orr Building at Walnut St. and Washington St.

MARK NEWTONVILLE,LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit oriented development in excess of 20,000 sq. ft. consisting of three interconnected buildings with building heights of 60 feet and five stories, total gross floor area of 238,075 sq. ft., incorporating 171 residential units, approximately 39,745 sq. ft. of commercial space to permit office use, medical use, retail and personal establishment of more than 5,000 sq. ft., eating and drinking establishments of more than 5,000 sq. ft. retail banking and financial services and health club establishments, and approximately 2,030 sq. ft., of office/community space; 346 on-site parking stalls within a below-grade garage and surface parking, and to allow an FAR of 1.92; waive the setback and façade transparency, waiver of 97 parking stalls and dimensional requirements for parking stalls, interior landscaping, lighting, curbing, wheel stops, guard rails and bollards, waive entrance and end stall maneuvering space requirements, waive number of signs and allow for free-standing signs and loading bay at 241-261 Walnut Street, 845-875 Washington Street, 0-22 Bailey Place, 6-22 Washington Terrace, Ward 2, Newtonville, on land known as SBL 21029 0010, 21029 0011, 21029 0012, 21029 0017, 21029 0016, 21029 0018, 21029 0019, 21029 0019A, 21029 0013, 21029 0014, 21029 0015, 21029 0020, 21029 0021, 21029 0022, 21029 0023, containing approximately 123,956 sq. ft. of land in a district zoned BUSINESS USE 1 and BUSINESS USE 2. Ref:7.3.3, 7.4, 4.2.3, 4.2.5.A.2, 4.2.5.A.4.c, 4.2.5.A.4, 4.2.5.A.6.a, 4.2.5.A.6, 4.2.5.A.6.b, 4.2.5.A.6, 4.4.1, 5.1.4.A, 5.1.4.C, 5.1.4, 5.1.13, 5.1.8.A.2, 5.1.8.B.1, 5.1.8.B.2, 5.1.10.B.3, 5.1.8.B.6, 5.1.9.B, 5.1.10.A.1, 5.1.10.B.5, 5.1.12, 5.2.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Public Hearing Opened on June 7, 2016 and continued to July 12 and September 13 2016. Land Use Held 7-0

Referred to Programs & Services Committee**September 7, 2016**

Present: Councilors Rice (Chair), Kalis, Auchincloss, Leary, Schwartz and Baker; absent: Councilors Sangiolo and Hess-Mahan

#294-16

Mayor's appointment of Ajaya Soltau as a member of the Youth Commission

HIS HONOR THE MAYOR appointing AJAYA SOLTAU, DeForest Street, Roslindale, as a member of the YOUTH COMMISSION for a term to expire September 1, 2018.

(60 days 11/05/16) [08/29/16 @ 3:37 PM]

Programs & Services Approved 4-0 (Baker and Schwartz not voting)

#295-16

Mayor's appointment of Heather Krasner as a member of the Youth Commission

HIS HONOR THE MAYOR appointing HEATHER KRASNER, Irving Street, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2018.

(60 days 11/05/16) [08/29/16 @ 3:37 PM]

Programs & Services Approved 4-0 (Baker and Schwartz not voting)

- #296-16 Mayor's appointment of Ashley Rodriguez as a member of the Youth Commission**
HIS HONOR THE MAYOR appointing ASHLEY RODRIGUEZ, Adams Street, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2017.
 (60 days 11/05/16) [08/29/16 @ 3:37 PM]
Programs & Services Approved 4-0 (Baker and Schwartz not voting)
- #297-16 Mayor's appointment of Luther Evans as a member of the Youth Commission**
HIS HONOR THE MAYOR appointing LUTHER EVANS, Cherry Street, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2017.
 (60 days 11/05/16) [08/29/16 @ 3:37 PM]
Programs & Services Approved 4-0 (Baker and Schwartz not voting)
- #298-16 Mayor's appointment of Daniel Babitsky as a member of the Youth Commission**
HIS HONOR THE MAYOR appointing DANIEL BABITSKY, Washington Avenue, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2017.
 (60 days 11/05/16) [08/29/16 @ 3:37 PM]
Programs & Services Approved 4-0 (Baker and Schwartz not voting)
- #299-16 Mayor's appointment of Rebecca Arango as a member of the Youth Commission**
HIS HONOR THE MAYOR appointing REBECCA ARANGO, Angier Circle, Newton, as a member of the YOUTH COMMISSION for a term to expire September 1, 2017.
 (60 days 11/05/16) [08/29/16 @ 3:37 PM]
Programs & Services Approved 4-0 (Baker and Schwartz not voting)
- #292-16 Mayor's appointment of Elizabeth Dugan to the Newton Council on Aging**
HIS HONOR THE MAYOR appointing ELIZABETH DUGAN, 62 Woodcliff Road, Newton as a Commissioner of the COUNCIL ON AGING for a term to expire September 15, 2019. (60 days 11/05/16) [08/04/16 @ 11:34 AM]
Programs & Services Held 5-0 (Baker not voting)
- #293-16 Mayor's re-appointment of Carol Ann Shea to the Newton Council on Aging**
HIS HONOR THE MAYOR re-appointing CAROL ANN SHEA, 24 Milo Street, Newton as a Commissioner of the COUNCIL ON AGING for a term to expire September 15, 2019.
 (60 days 11/05/16) [08/04/16 @ 11:34 AM]
Programs & Services Approved 5-0 (Baker not voting)
- #31-15 Proposing an ordinance to limit leaf blower use**
PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20 PM]
Programs & Services Held 6-0

- #31-15(2) Amend Noise Ordinance restrictions for yard maintenance equipment**
THE PROGRAMS & SERVICES COMMITTEE requesting to amend *Chapter 20-13, Noise Control*, relative to time restrictions on the use of yard, garden or grounds maintenance equipment. [03/19/15 @ 12:14 PM]
Programs & Services Held 6-0

Referred to Programs & Services and Finance Committees

- #31-15(4) Amend Chapter 20 Section 51 Civil Fine for Littering to Include Yard Waste**
PROGRAMS & SERVICES COMMITTEE requesting that the City of Newton Ordinances Chapter 20, Section 51, Depositing of Litter, be amended to include leaves, yard waste, and other similar material, and that civil fines be associated with violations of the section and added to Chapter 20, Section 21. [03/24/16 @1:41 PM]
Programs & Services Held 6-0

Referred To Public Safety & Transportation Committee

Wednesday, September 7, 2016

Present: Councilors Blazar (Acting Chair), Fuller, Yates, Lipof, Norton, Cote and Ciccone; absent: Councilor Harney; also present: Councilor Baker

- #302-16 Discussion with MassDOT regarding new toll structure on the Mass Pike in Newton**
COUNCILOR CICCONE, on behalf of the Public Safety & Transportation Committee requesting a discussion with MassDOT regarding the new toll structure on the Massachusetts Turnpike in Newton. [08/31/16 @ 10:13 AM]
Public Safety & Trans. No Action Necessary 4-0 (Norton, Lipof, Ciccone not voting)

Referred to Public Safety & Transportation and Finance Committees

- #307-16 Request to bond \$650,000 to purchase a new fire pumper truck**
HIS HONOR THE MAYOR requesting authorization to appropriate six hundred fifty thousand dollars (\$650,000) from bonded indebtedness for the purpose of purchasing a new Fire Department Pumper Truck – Engine 3 in accordance with the frontline apparatus replacement schedule. [08/25/16 @ 1:18 PM]
Finance Approved 7-0 on 09/12/16
Public Safety & Transportation Approved 5-0 (Lipof and Ciccone not voting)

Referred to Public Safety & Transportation and Finance Committees

- #272-16 \$700,000 for replacement of the dispatch consoles at the Police Dispatch Center**
HIS HONOR THE MAYOR requesting authorization to appropriate seven hundred thousand dollars (\$700,000) from bonded indebtedness for the purpose of funding the replacement of the dispatch consoles at the Police Dispatch Center. [08/01/16 @ 4:19 PM]
Finance Approved 7-0 on 09/12/16
Public Safety & Transportation Approved 6-0, Subject to Second Call (Lipof not voting)

#188-16 Discussion concerning traffic safety measures in West Newton Square
COUNCILORS HESS-MAHAN, COTE AND BROUSAL-GLASER, requesting a discussion with the Police Department, DPW and Transportation Division concerning safety measures to protect individuals from motor vehicles in West Newton in light of the accident on March 1, 2016, which caused fatalities and serious injuries. [05/06/16 @ 1:02 PM]
Public Safety & Transportation No Action Necessary 6-0 (Lipof not voting)

#80-16 Discussion on alternative bus routes impacting the closing of the Elliott Street Bridge
COUNCILOR YATES, requesting a discussion with the Massachusetts Department of Transportation and Massachusetts Bay Transportation Authority to work with the City to develop alternative routes for bus route 59 that lessen the impact of closing the Elliot Street (Cooks) Bridge. [02/22/16 @ 4:45 PM]
Public Safety & Transportation No Action Necessary 6-0 (Lipof not voting)

Referred to Public Safety & Transportation and Finance Committees

#197-15(2) Pilotless Aircraft Operation
COUNCILORS ALBRIGHT, BAKER, AND NORTON proposing an ordinance regulating the operation and registration of pilotless aircraft in the City of Newton. [04/07/16 @ 4:25 PM]
Public Safety & Transportation approved 5-0 on 05/04/16
Finance Approved 5-0-2 on 06/13/16, Lappin, Norton abstaining
Council Recommitted to Public Safety on 06/20/16
Public Safety & Transportation Held 6-0 on 09/07/16, Lipof not voting

#187-16 Discussion on steps taken to train the Police Department on downing drones
COUNCILORS COTE AND HARNEY, requesting a discussion with the Chief of Police on the steps the department has taken, either internally or externally with mutual aid to prepare the city for potential criminal threats by drones including what the department has done to train officers in effective means of downing dangerous drones. [05/04/16 @ 4:13 PM]
Public Safety & Transportation No Action Necessary 6-0 (Lipof not voting)

Referred to Public Facilities Committee

September 7, 2016

Present: Councilors Crossley (Chair), Albright, Laredo, Gentile, Lappin, Danberg, Lennon, Brousal-Glaser; also present: Councilors Lipof, Schwartz.

#282-16 5-58 Site plan approval for the relocation of modular classrooms
DESIGN REVIEW COMMITTEE petitioning, pursuant to Sec. 5-58, for site plan approval to relocate four (4) modular classrooms from the Zervas Elementary School as follows: two (2) modular classrooms to be located at Newton South High School and two (2) modular classrooms at Brown Middle School to provide additional classroom space
Public Facilities Approved 7-0 (Lennon Not Voting)

#249-16 **Cellco petition for Grant of Location for wireless communication equipment**
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing utility poles at the following locations [(Ward 8) 07/01/2016 @11:17 AM]:

Locations

Dudley Road (near 530 Dudley Road) at Pole #10-7

Hay Road (near 16 Hay Road) at Pole #1368-1

Public Facilities Held 8-0

#303-16 **Request to approve traffic calming islands for Concord Street**
COMMISSIONER OF PUBLIC WORKS requesting authorization to install four torpedo traffic island in Concord Street in Lower Falls between Hagar Street and St. Mary's Street to be funded using mitigation funds previously approved by the Council for Lower Falls traffic mitigation. (Ward 4) [08/25/16 @ 1:51 PM]

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#273-16 **\$216,000 to purchase a new street sweeper**
HIS HONOR THE MAYOR requesting authorization to appropriate two hundred sixteen thousand dollars (\$216,000) from bonded indebtedness to fund the purchase of a new 2016 Elgin Pelican NP dual street sweeper. [08/01/16 @ 12:50 PM]

Finance Approved 7-0 on 09/12/16

Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#275-16 **\$4 million MWRA loan to implement lead service line replacement project**
HIS HONOR THE MAYOR requesting authorization to borrow up to four million dollars (\$4,000,000) in interest free loans from the Massachusetts Water Resources Authority (MWRA) for the purpose of implementing a lead service line replacement program. [08/01/16 @ 12:49 PM]

Finance Approved 7-0 on 09/12/16

Public Facilities Approved 8-0

Referred to Finance Committee

Monday, September 12, 2016

Present: Councilor Gentile, Norton, Brousal-Glaser, Rice, Blazar, Fuller, and Lappin; absent: Councilor Ciccone

#305-16 **Mayor's reappointment of Michael Caramanica as a Constable**
MICHAEL CARAMANICA, 14 Emerald Street, Newton reappointed as a Constable for the City of Newton for a term of office to expire September 15, 2019. (60 days 11/05/16) [08/04/16 @ 11:34 PM]

Finance Approved 7-0

#266-16 Acceptance of a survey and planning grant for an architectural survey
HIS HONOR THE MAYOR requesting authorization to accept and expend twelve thousand five hundred dollars (\$12,500) from the Massachusetts Historical Commission's Fiscal year 2016 Survey and Planning Grant Program to support the work of the Newton Architectural Survey 1870 to 1915. [08/01/16 @ 12:50]
Finance Approved 7-0

#268-16 Accept Mass Department of Environmental Protection EVIP Grant
HIS HONOR THE MAYOR requesting authorization to accept and expend fifteen thousand dollars (\$15,000) from the Massachusetts Department of Environmental Protection's EVIP Fleet Grant to be used towards the purchase of a 2016 Nissan Leaf to the City's electric vehicle fleet and the purchase and installation of a charging station for electric vehicles. [08/01/16 @ 12:49]
Finance Approved 7-0

Referred to Public Safety & Transportation and Finance Committees

#272-16 \$700,000 for replacement of the dispatch consoles at the Police Dispatch Center
HIS HONOR THE MAYOR requesting authorization to appropriate seven hundred thousand dollars (\$700,000) from bonded indebtedness for the purpose of funding the replacement of the dispatch consoles at the Police Dispatch Center. [08/01/16 @ 4:19 PM]
Public Safety & Transportation Approved 6-0 Subject to Second Call on 09/07/16
Finance Approved 7-0

#269-16 Transfer \$800,000 to fund the recently negotiated Patrolman's Association contract
HIS HONOR THE MAYOR requesting authorization to transfer the sum of eight hundred thousand dollars (\$800,000) from Fiscal Year 2017 Wage Reserve to fund the Fiscal Year 2015 and Fiscal year 2016 retroactive payments of the recently negotiated contract with the Newton Patrolman's Association, as well as Fiscal Year 2017 current year adjustments. [08/01/16 @ 4:19 PM]
Finance Approved 7-0 as amended by appropriating additional \$250k from Free Cash

Referred to Public Safety & Transportation and Finance Committees

#307-16 Request to bond \$650,000 to purchase a new fire pumper truck
HIS HONOR THE MAYOR requesting authorization to appropriate six hundred fifty thousand dollars (\$650,000) from bonded indebtedness for the purpose of purchasing a new Fire Department Pumper Truck – Engine 3 in accordance with the frontline apparatus replacement schedule. [08/25/16 @ 1:18 PM]
Public Safety & Transportation Approved 5-0 (Ciccione, Lipof not voting) on 09/07/16
Finance Approved 6-0 (Rice not voting)

Referred to Public Facilities and Finance Committees

#275-16

\$4 million MWRA loan to implement lead service line replacement project

HIS HONOR THE MAYOR requesting authorization to borrow up to four million dollars (\$4,000,000) in interest free loans from the Massachusetts Water Resources Authority (MWRA) for the purpose of implementing a lead service line replacement program. [08/01/16 @ 12:49 PM]

Public Facilities Approved 8-0 on 09/07/16

Finance Approved 7-0

Referred to Public Facilities and Finance Committees

#273-16

\$216,000 to purchase a new street sweeper

HIS HONOR THE MAYOR requesting authorization to appropriate two hundred sixteen thousand dollars (\$216,000) from bonded indebtedness to fund the purchase of a new 2016 Elgin Pelican NP dual street sweeper. [08/01/16 @ 12:50 PM]

Public Facilities Approved 8-0 on 09/07/16

Finance Approved 7-0

#267-16

Transfer of FY 2017 Homeless Transportation Grant Funds to the School Budget

HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirty-six thousand seven hundred seventy-seven thousand dollars (\$36,077) from Fiscal Year 2017 revenue from State Homeless Transportation Grant Funds to reimburse the School Department for the Homeless Student Transportation State Reimbursement grant, which was sent as a general fund unrestricted reimbursement in June 2016 from the state rather than an education grant. [08/01/16 @ 12:50]

Finance Approved 6-0 (Lappin not voting)

Referred to Public Facilities and Finance Committees

#191-16

Funding to relocate the Zervas modulars to NSHS and Brown Middle School

HIS HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars (\$500,000) to the Public Buildings Department for the purpose of funding the relocation modular classrooms from the Zervas Elementary School to Newton South High School and Brown Middle School from the following accounts:

<u>Department</u>	<u>Account</u>	<u>Amount</u>
Executive Office	Full-time Salaries	\$40,000
Treasury	Debt Service (010772-582A48)	\$403,784
Treasury	Debt Service (010772-582A49)	\$21,216
Financial Info Systems	Full-time Salaries	\$35,000

Finance Held 7-0