



REVISED

3:01 pm, Oct 01, 2021

City Council Reports Docket

POSTED
City Clerk

September 21: Land Use
September 22: Programs & Services, Public
Safety & Transportation, Public Facilities
September 27: Zoning & Planning, Finance
September 28: Land Use

Page 533
7:00 PM, Virtual
To be reported on
Monday, October 4, 2021

The City Council will hold this meeting as a virtual Zoom meeting on Monday, October 4, 2021, at 7:00 pm. To view this meeting use this link at the above date and time:

<https://us02web.zoom.us/j/83620293203>

One tap mobile

US: +13126266799,,83620293203#

Land line

US: +1 301 715 8592

Meeting ID: 836 2029 3203

You may also:

1. Watch a live broadcast of the meeting on NewTV's government channel (Comcast 9, RCN 13, 614(HD), Verizon 33).
2. Viewing a live stream on NewTV's Vimeo channel at: <https://vimeo.com/newtvgov>

City of Newton In City Council Items to be Acted Upon

Referred to Land Use Committee

Tuesday, September 21, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Downs, Laredo; absent: Councilors Markiewicz and Bowman

#215-21 Petition to amend Council Order #289-18 for Garden Remedies

GARDEN REMEDIES, INC/697 WASHINGTON STREET REALTY TRUST petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to amend Council Order #289-18 to remove the appointment only conditions, amend the hours of operations to allow business operations, to remove the sign plan as a control document and to amend the site plan and landscape plan in Ward 2, Newton at 697 Washington Street (Section 23 Block 19 Lot 01B), 691 Washington Street (Section 23 Block 19 Lot 01A), 681 Washington Street (Section 23 Block 19 Lot 01) and 2 Court Street (Section 23 Block 19 Lot 23), containing approximately 16,669 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: 7.3.3, 7.4 of the City of Newton Rev Zoning Ord, 2017.

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.

Public Hearing Closed 09/21/2021; Land Use Divided the Item into #215-21(A) Hours of Operation, #215-21(B) Removing Appointment Only, #215-21(C) Sign Plan and #215-21(D) Landscape Plan

#215-21(A) Hours of Operation - Land Use Approved 6-0

#215-21(B) Removing Appointment Only - Land Use Approved 3-2-1 (Councilors Greenberg and Lucas Opposed, Councilor Kelley abstaining)

#215-21(C) Sign Plan - Land Use Approval Failed to Carry 0-4-2 (Councilors Laredo, Lucas, Kelley and Greenberg Opposed, Councilors Downs and Lipof abstaining)

#215-21(D) Landscape Plan – Land Use Approved 6-0

#297-21 **Petition to allow ground floor residential use and 2.5 story structure at 55 Colella Road**
MICHAEL LOHIN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 2.5 story two-unit dwelling in excess of 24', with ground floor residential use and to allow parking within five feet of the street at 55 Colella Road, Ward 8, Newton Centre, on land known as Section 84 Block 15 Lot 01, containing approximately 7,541 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3.3, 7.4, 4.4.1, 4.1.2.B.3, 4.1.3, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 6-0; Public Hearing Continued

#294-21 **Petition to allow detached accessory apartment at 39 Adella Avenue**
NAOMI FRANKEL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an accessory building with a ground floor area greater than 700 sq. ft., to allow a detached accessory apartment with reduced setbacks, to allow a dormer wider than 50% of the exterior wall below and to allow a dormer within 3' of the intersection of the roof and the wall plane at 39 Adella Avenue, Ward 3, West Newton, on land known as Section 31 Block 13 Lot 02, containing approximately 10,000 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 6.7.1.E.1, 3.1.3, 6.7.1.E.5, 1.5.4.G.1.b, 1.5.4.G.1.c, 3.4.3.A.4 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0; Public Hearing Closed 09/21/2021

#298-21 **Petition to extend nonconforming FAR and lot coverage at 158 Parmenter Road**
RACHEL AND MARKO ROSENFELDT petition for SPECIAL PERMIT/SITE PLAN APPROVAL to demolish the existing detached garage and replace it with an attached garage and second story addition, increasing the non-conforming FAR and non-conforming lot coverage at 158 Parmenter Road, Ward 3, West Newton, on land known as Section 34 Block 47 Lot 01, containing approximately 4,990 sq. ft. in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.1.3, 3.1.9, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 6-0: Public Hearing Closed 09/21/2021

#293-21 **Petition to allow 28-unit dwelling at 967 Washington, 92&96 Walker Street**
ROGERS & COMPANY INC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 28-unit three-story multi-family dwelling with underground parking, to waive 26 parking stalls and to alter and extend a non-conforming front setback at 967 Washington Street, 92 and 96 Walker Street, Ward 2, Newtonville, on land known as Section 21 Block 33 Lots 1-3, containing approximately 34,210 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.6, 7.8.2.C.2, 5.1.4, 5.1.13 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 6-0; Public Hearing Continued

Referred to Land Use Committee

Tuesday, September 28, 2021

Present: Councilors Lipof (Chair), Kelley, Greenberg, Lucas, Markiewicz, Downs, Bowman and Laredo; also Present: Councilors Wright, Oliver, Krintzman, Crossley

#300-21 **Request to Rezone two parcels at 304-306 Walnut Street**
JH REAL ESTATE LLC petition for to rezone two parcels; 304 Walnut Street (Section 22 Block 05 Lot 33) from Business Use 1 and 306 Walnut Street (Section 22 Block 05 Lot 30) from Multi Residence 1 to Mixed Use 4.

Land Use Held 8-0; Public Hearing Continued

#301-21 **Petition to allow 27-unit mixed use building at 304-306 Walnut Street**
JH REAL ESTATE LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a 27-unit mixed use development in excess of 20,000 sq. ft., to allow a building height of 60' and FAR of 2.50, to allow five stories, to waive the minimum lot area per unit requirement, to reduce the side setback requirement, to reduce the setback requirement for portions of the building greater than 40' in height, to allow 1.25 parking stalls per dwelling unit, to waive 37 parking stalls, to allow parking in the side setback, to allow parking within five feet of a building containing dwelling units, to waive the parking stall width requirement, to waive perimeter screening requirements and to waive lighting requirements at 304-306 Walnut Street, Ward 2, Newtonville, on land known as Section 22 Block 05 Lots 30 and 33, containing approximately 14,038 sq. ft. of land in a district zoned BU1 and MR1 (to be rezoned to MU4). Ref: Sec. 7.3.3, 7.4, 4.2.2.B.1, 4.2.2.A.2, 4.2.5.A.3, 4.2.2.B.3, 4.2.5.A.2, 4.2.3, 4.2.5.A.4.b, 4.2.5.A.4, 4.2.5.A.4.c, 5.1.4, 5.1.4.A, 5.1.13, 5.1.8.A.1, 5.1.8.A.2, 5.1.8.B.1, 5.1.9.A, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 8-0; Public Hearing Continued

#302-21 **Petition to amend Special Permit #201-17 at 386-394 Watertown Street**
JLM REALTY TRUST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Order #201-17 to allow the reconfiguration of the parking stalls, to waive one parking stall, to reduce minimum maneuvering aisle width, to allow restricted end parking stalls and to waive lighting requirements at 386-394 Watertown Street, Ward 1, Newton, on land known as Section 14 Block 14 Lots 35, 37 and 38, containing approximately 9,542 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 5.1.4, 5.1.13, 5.1.8.B.6, 5.1.8.C.1, 5.1.8.C.2, 5.1.10 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 8-0; Public Hearing Continued

- #244-20(2) Request for Extension of Time to Exercise Special Permit for Cabot Park Village**
KRE-BSL Husky Cabot Park LLC request for a TWO YEAR EXTENSION OF TIME TO EXERCISE for SPECIAL PERMIT/SITE PLAN APPROVAL for Special Permit Board Order #105-95 approved by the City Council on July 13, 2020 for the construction a five-story addition with 18 new units and common accessory use space, 280 Newtonville Avenue, Ward 2, on land known as Section 22 Block 07 Lot 48, containing approximately 146,435 sq. ft. of land in a district zoned MULTI RESIDENCE 3. Said extension of Time to Run from July 13, 2021 to July 13, 2023. Ref: Sec. 7.3.3, 7.4, 3.2.2.A.3, 7.8.2.C.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0
- #296-21 Petition to amend Special Permit #106-13 to allow garage bay at 414 Watertown Street**
ANTOINE DAHER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Council Order #106-13 to allow for construction of a third garage bay at 414 Watertown Street, Ward 1, Newton, on land known as Section 14 Block 15 Lot 24, containing approximately 10,992 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 4.4.1 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 09/28/2021
- #332-21 Petition to exceed FAR and allow garage greater than 700 sq. ft. at 50 Wachusett Road**
STEVEN SEGAL AND ELLEN BINSTOCK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a new garage, greater than 700 sq. ft., to accommodate more than three vehicles, and to exceed FAR at 50 Wachusett Road, Ward 7, Chestnut Hill, on land known as Section 61 Block 18 Lot 03, containing approximately 22,412 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.4.E.1, 3.4.4.H, 3.1.3, 3.1.9 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 8-0; Public Hearing Closed 09/28/2021
- #333-21 Petition to allow four single-family attached dwelling at 34 Prescott Street**
WHITEACRE PROPERTIES, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to convert the existing single-family dwelling unit and carriage house into two, two-unit single-family attached dwelling units, to reduce require side and rear setbacks, to allow a driveway within 10' of the side lot line and parking within 20' of a boundary, to waive two parking stalls and to allow reduced parking stall width and depth at 34 Prescott Street, Ward 2, Newtonville, on land known as Section 23 Block 12 Lot 04, containing approximately 19,432 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.1, 3.2.4, 6.2.3.B.2, 5.1.4, 5.1.13, 5.1.7.B.1, 5.1.7.B.2 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved Subject to Second Call 8-0; Public Hearing Closed 09/28/2021
- #299-21 Petition to allow marijuana retailer at 131 Rumford Avenue**
PHARMACANNIS MASSACHUSETTS INC. D/B/A/ VERILIFE petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a retail marijuana establishment, to allow parking facility requirements to be met off-site, to waive the minimum driveway width requirement, to waive perimeter screening requirements, to waive lighting requirements and to waive the 25% façade transparency requirement at 131 Rumford Avenue, Ward 4,

Auburndale, on land known as Section 41 Block 31 Lot 50, containing approximately 20,443 sq. ft. of land in a district zoned BUSINESS USE 2. Ref: Sec. 7.3.3, 7.4, 6.10.3.D, 4.4.1, 5.1.6.A, 5.1.6.B, 5.1.8.D.1, 5.1.13, 5.1.9.A, 5.1.10, 6.10.3.E.15 of the City of Newton Rev Zoning Ord, 2017.

Land Use Held 8-0; Public Hearing Continued

Referred to Zoning & Planning Committee

Monday, September 27, 2021

Present: Councilors Crossley (Chair), Albright, Leary, Wright, Baker, Krintzman, Danberg and Ryan; also present: Councilors Downs, Kelley, Greenberg, Bowman and Lucas

Referred to Zoning & Planning and Finance Committees

#320-21

CPC Recommendation to appropriate \$500,000 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of five hundred thousand dollars (\$500,000) in Community Preservation Act funds, with \$478,877 to come from the FY22 Community Housing Reserve Fund (Account #58C10498-57900C) and \$21,123 to come the Prior Year Undesignated Fund (Account #5800-3599), to the control of the Planning & Development Department to provide funding to replace roofs, repair and restore damaged siding, and replaced the HVAC systems as part of the Nonantum Village Place Senior Housing Preservation Project.

Finance to Meet

Zoning & Planning Approved 7-0 (Councilor Baker not voting)

Referred to Zoning & Planning and Finance Committees

#346-21

Appropriation of \$643,215 for the Newton Housing Authority

HER HONOR THE MAYOR requesting the appropriation of six hundred forty-three thousand two hundred and fifteen dollars (\$643,215) of Inclusionary Zoning Fund monies to the Newton Housing Authority (NHA), in accordance with Section 5.11.5 (E) of the City's Zoning Ordinance, to be used for ongoing affordable housing development activities.

Finance to Meet

Zoning & Planning Approved 7-0, Councilor Baker not voting

#240-21

Requesting Ordinance Amendments to Chapter 30

DIRECTOR OF PLANNING AND DEVELOPMENT requesting ordinance amendments to the Newton Zoning Ordinance, Chapter 30 (1) in order to clarify definitions, edit missing or incorrectly transcribed provisions and revise inconsistencies in the ordinance.

On 08/16/21 Zoning & Planning Split Item #240-21 into (1) to clarify definitions, edit missing or incorrectly transcribed provisions and revise inconsistencies in the ordinance; and (2) to amend the definition in Section 1.5.1.B Two Family Detached.

Public Hearing Closed 6-0 (Councilor Leary not voting) on 08/16/21

Zoning & Planning Approved (1) 6-0 (Councilor Leary not voting) on 08/16/21

Zoning & Planning Held (2) 6-0 (Councilor Leary not voting) on 08/16/21

Zoning & Planning Approved #240-21(2) 7-1-0 (Councilor Baker Opposed) to amend the definition in Section 1.5.1.B Two Family Detached approved definition #2 as recommended by the Planning Department

#438-20 Request for creation of Trust in Newton to support affordable housing development
COUNCILORS ALBRIGHT, CROSSLEY, HUMPHREY, DANBERG, MALAKIE, KELLEY, BOWMAN, KALIS, GREENBERG, DOWNS, WRIGHT, RYAN, NOEL, LEARY, LIPOF AND NORTON requesting the Planning Department analyze mechanisms already in use in other cities and towns, identify funding sources, and create a Housing Trust in Newton to facilitate and foster the development of affordable housing in Newton.
Zoning & Planning Held 8-0

#528-20 Requesting review and possible amendment to Local Preference in Chapter 30
COUNCILORS ALBRIGHT, NORTON, CROSSLEY, BOWMAN, NOEL, HUMPHREY, WRIGHT, LAREDO, KALIS, RYAN, LIPOF AND DANBERG requesting a review and possible amendment to the Local Preference Ordinance in Chapter 30 sections 5.11.8. This section requires an Affirmative Fair Housing Marketing and Resident Selection Plan (AFHMP) for all Inclusionary Units which provides for a local preference for up to 70% of the Inclusionary Units. Various groups including The Fair Housing Committee and the Newton Housing Partnership have questioned whether the percent of local preference to current Newton residents should be lowered with the goal of increasing racial diversity in Newton.
Zoning & Planning Held 8-0; Public Hearing scheduled for 10/25/2021

Referred to Zoning & Planning and Finance Committees

#252-21 Appropriation of \$643,215 for the Newton Housing Authority
DIRECTOR OF PLANNING & DEVELOPMENT requesting the appropriation of six hundred forty-three thousand two hundred and fifteen dollars (\$643,215) of Inclusionary Zoning funds to the Newton Housing Authority (NHA) to support the creation of 55 new units of affordable senior housing at the NHA's new Haywood House development.
Finance to Meet
Zoning & Planning Voted No Action Necessary 8-0

Referred to Programs & Services Committee

Monday, September 22, 2021

Present: Councilors Krintzman (Chair), Noel, Humphrey, Albright, Wright, Greenberg, and Baker; absent: Councilor Ryan; also present: Councilors Bowman, Kelley, Oliver, Laredo, and Norton

#310-21 Appointment of Nancy Kritzman to the Commission on Disability
HER HONOR THE MAYOR appointing NANCY KRITZMAN, 677 Winchester Street, #423, Newton as a member of the COMMISSION ON DISABILITY for a term to expire on September 20, 2023 (60 Days: 10/08/21).
Programs & Services Approved 6-0 (Councilor Baker not voting)

#311-21 Appointment of Cynthia Greene to the Human Rights Commission
HER HONOR THE MAYOR appointing CYNTHIA GREENE, 21 Garden Road, Newton, as a member of the HUMAN RIGHTS COMMISSION for a term to expire on September 30, 2024 (60 Days: 10/08/21).
Programs & Services Approved 6-0 (Councilor Baker not voting)

Referred to Programs & Services and Finance Committees

#281-21

CPC Recommendation to appropriate \$1,440,344 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one million four hundred forty thousand three hundred and forty-four dollars (\$1,440,344) in Community Preservation Act funds, with \$288,068.80 to come from the Open Space Prior Year Reserve (Act# 5840-3599) and \$1,152,275.20 to come from the Prior Year Undesignated Fund (Acct# 5800-3599), to the control of the Planning & Development Department for the implementation of the approved and permitted designs for Levingston Cove including the construction of new erosion controls, plantings, accessibility improvements and the installation of new public amenities including new pathways, benches and decks.

Finance Approved 7-0 on 09/27/2021

Programs & Services Approved 6-0-1 (Councilor Wright abstaining)

Referred to Programs & Services and Finance Committees

#347-21

CPC Recommendation to appropriate \$420,000 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four hundred twenty thousand dollars (\$420,000) in Community Preservation Act funds from the FY22 Budget Reserve (Account# 58R10498-579000) to the control of the Planning & Development Department for the completion of the Athletic Fields Capital Improvements Plan Design FY2022-2025 Project which includes the hiring of on-call consultants to complete the studies, plans, and design work necessary to construct new fields and restore four to six existing sites.

Finance Approved 7-0 on 09/27/2021

Programs & Services Approved 7-0

#267-21

Request for a discussion on rodent control in Newton

COUNCILORS GREENBERG, ALBRIGHT, KELLEY, LEARY, BOWMAN, CROSSLEY, GROSSMAN, HUMPHREY, LAREDO, LIPOF, LUCAS, MALAKIE, OLIVER, RYAN, DANBERG AND WRIGHT requesting a discussion regarding rodent activity control related to construction activities and the creation of an ordinance that would require a pest control management plan for any application to obtain a building permit which includes demolition and/or excavation on public or private property.

Programs & Services Held 7-0

#341-21

Request for additional rodent control initiatives

COUNCILORS LEARY, GREENBERG, AND OLIVER requesting that the City Administration develop additional initiatives to its proactive and holistic approach to rodent control applicable to residential, municipal and commercial properties. Areas to consider potentially include, but are not limited to public education, enforcement, special permits and building permits, construction and excavation management, and assistance to private property owners of limited means.

Programs & Services Voted No Action Necessary 7-0

#308-21 **Request for discussion on COVID-19 vaccination mandate**
COUNCILORS GENTILE, KALIS, MALAKIE, OLIVER, LAREDO, MARKIEWICZ, NORTON AND WRIGHT requesting a discussion with the Human Resources and Health Departments about instituting a City of Newton policy mandating that all city employees be vaccinated against the COVID-19 virus.
Programs & Services Held 7-0

Referred to Programs & Services and Finance Committees

#99-21 **Discussion regarding resources needed for a safe return to in-person learning**
COUNCILORS KRINTZMAN, GROSSMAN, LAREDO, WRIGHT, KALIS, MALAKIE, GREENBERG, LEARY, RYAN, BAKER, ALBRIGHT AND NOEL Requesting a discussion about the resources necessary for a speedy and safe return to in person learning, in compliance with the March 9, 2021 guidance from the Massachusetts Department of Elementary and Secondary Education and in anticipation of more than \$48 million in Federal Aid from the American Rescue Plan
Finance Voted No Action Necessary 7-0 on 09/27/2021
Programs & Services Voted No Action Necessary 7-0

Referred to Programs & Services and Finance Committees

#156-20 **Request for comparison of dog license fines**
COUNCILOR ALBRIGHT requesting a comparison of Newton's fine for failure to license a dog to other communities. In addition, requesting an increase in the fine for failure to license a dog.
Finance Voted No Action Necessary 7-0 on 09/27/2021
Programs & Services Voted No Action Necessary 7-0

Referred to Programs & Services and Finance Committees

#157-20 **Request for review and changes to off-leash dog ordinance**
COUNCILOR ALBRIGHT requesting a review and possible changes to the off-leash dog ordinance to include:
a) raising fees required by dog walking companies in order to better maintain sites heavily used by dog walkers; and
b) requiring background checks on dog walkers to assure safety of dog owners and dogs; and
c) requesting the development of regulations for dog walking and dog daycare companies to assure appropriate care for dogs.
Finance Voted No Action Necessary 7-0 on 09/27/2021
Programs & Services Voted No Action Necessary 7-0

Referred to Public Safety & Transportation Committee

Wednesday, September 22, 2021

Present: Councilors Downs (Chair), Malakie, Oliver, Bowman, Grossman and Lucas; also present: Leary, Laredo, Kelley, Kalis, Norton, Danberg, Gentile and Crossley; absent: Councilors Markiewicz and Lipof

Referred to Public Facilities and Public Safety & Transportation Committees

- #250-21** **Discussion regarding the status of fire hydrants throughout the City**
COUNCILORS LAREDO, LIPOF, LEARY, GREENBERG AND OLIVER requesting a discussion with the Fire Department and the Department of Public Works regarding the status of fire hydrants throughout the city, including their current condition and plans for future maintenance, repair, and replacement as needed.
Public Facilities Held 8-0 on 09/22/2021
Public Safety & Transportation Held 6-0

Referred to Public Facilities and Public Safety & Transportation Committees

- #81-20** **Discussion on transportation priorities and public works**
PUBLIC FACILITIES COMMITTEE, PUBLIC SAFETY & TRANSPORTATION COMMITTEE AND COUNCILOR LEARY requesting a discussion with the administration and school officials on transportation priorities and public works/streets/sidewalks etc.
Public Facilities Held 8-0 on 09/22/2021
Public Safety & Transportation Held 6-0

Referred to Public Facilities Committee

Wednesday, September 22, 2021

Present: Councilors Leary (Chair), Laredo, Kelley, Kalis, Norton, Danberg, Gentile and Crossley; also present: Councilors Downs, Malakie, Oliver, Bowman, Grossman and Lucas

- #315-21** **Appointment of John Synnott to the Designer Selection Committee**
HER HONOR THE MAYOR appointing John Synnott, 22 Winona Street, Auburndale to the Designer Selection Committee for a term of office to expire December 31, 2021. (60 days: 10/08/21)
Public Facilities Approved 7-0 (Councilor Laredo not voting)
- #343-21** **Disposition of an easement for 39-41 Terrace Ave**
HER HONOR THE MAYOR requesting the disposition of an easement on City property adjacent to 39-41 Terrace Ave for the purposes of allowing the owner of 39-41 Terrace Ave to allow connection to the public sewer system in accordance with Section 2-7 of the City of Newton Ordinances.
Public Facilities Approved 7-0 (Councilor Laredo not voting)

Referred to Public Facilities and Finance Committees

- #321-21** **Appropriate \$138,620 for the rehabilitation of the Bullough's Pond Dam**
HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred thirty-eight thousand six hundred and twenty dollars (\$138,620) for the purpose of funding engineering design services for the rehabilitation of the Bullough's Pond Dam.
Finance Approved 7-0 on 09/27/2021
Public Facilities Approved 7-0 (Councilor Laredo not voting)

- #344-21** **Update on the proposed Street Sweeping Pilot**
PUBLIC FACILITIES COMMITTEE requesting an update from the Department of Public Works on the proposed Street Sweeping Pilot.
Public Facilities Held 8-0

Referred to Public Facilities and Public Safety & Transportation Committees

- #250-21** **Discussion regarding the status of fire hydrants throughout the City**
COUNCILORS LAREDO, LIPOF, LEARY, GREENBERG AND OLIVER requesting a discussion with the Fire Department and the Department of Public Works regarding the status of fire hydrants throughout the city, including their current condition and plans for future maintenance, repair, and replacement as needed.
Public Safety & Transportation Held 6-0 on 09/22/2021
Public Facilities Held 8-0

Referred to Public Facilities and Public Safety & Transportation Committees

- #81-20** **Discussion on transportation priorities and public works**
PUBLIC FACILITIES COMMITTEE, PUBLIC SAFETY & TRANSPORTATION COMMITTEE AND COUNCILOR LEARY requesting a discussion with the administration and school officials on transportation priorities and public works/streets/sidewalks etc.
Public Safety & Transportation Held 6-0 on 09/22/2021
Public Facilities Held 8-0
- #316-21** **Reappointment of Puja Vohra to the Citizens Commission on Energy**
HER HONOR THE MAYOR reappointing Puja Vohra, 130 Day Street, Newton to the Citizens Commission on Energy for a term of office to expire June 15, 2024. (60 days: 10/08/21)
Public Facilities Approved 8-0

Referred to Finance Committee

Monday, September 27, 2021

Present: Councilors Grossman (Chair), Humphrey, Gentile, Kalis, Oliver, Norton and Malakie; absent: Councilors Noel

- #318-21** **Appointment of David Micley to the Other Post-Employment Benefits Trust Fund**
HER HONOR THE MAYOR appointing David Micley, 90 Mill Street, Newton as a trustee of the Other Post-Employment Benefits Trust for a term of office to expire September 20, 2024. (60 days: 10/08/21)
Finance Approved 7-0

Referred to Public Facilities and Finance Committees

- #321-21** **Appropriate \$138,620 for the rehabilitation of the Bullough's Pond Dam**
HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred thirty-eight thousand six hundred and twenty dollars (\$138,620) for the purpose of funding engineering design services for the rehabilitation of the Bullough's Pond Dam
Public Facilities Approved 7-0 (Councilor Laredo not voting) on 09/29/2021
Finance Approved 7-0

Referred to Programs & Services and Finance Committees

#281-21

CPC Recommendation to appropriate \$1,440,344 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of one million four hundred forty thousand three hundred and forty-four dollars (\$1,440,344) in Community Preservation Act funds, with \$288,068.80 to come from the Open Space Prior Year Reserve (Act# 5840-3599) and \$1,152,275.20 to come from the Prior Year Undesignated Fund (Acct# 5800-3599), to the control of the Planning & Development Department for the implementation of the approved and permitted designs for Levingston Cove including the construction of new erosion controls, plantings, accessibility improvements and the installation of new public amenities including new pathways, benches and decks.

Programs & Services Approved 6-0-1 (Councilor Wright abstaining) on 09/22/2021

Finance Approved 7-0

Referred to Programs & Services and Finance Committees

#347-21

CPC Recommendation to appropriate \$420,000 in CPA funding

COMMUNITY PRESERVATION COMMITTEE recommending appropriation of four hundred twenty thousand dollars (\$420,000) in Community Preservation Act funds from the FY22 Budget Reserve (Account# 58R10498-579000) to the control of the Planning & Development Department for the completion of the Athletic Fields Capital Improvements Plan Design FY2022-2025 Project which includes the hiring of on-call consultants to complete the studies, plans, and design work necessary to construct new fields and restore four to six existing sites.

Programs & Services Approved 7-0 on 09/22/2021

Finance Approved 7-0

Referred to Programs & Services and Finance Committees

#99-21

Discussion regarding resources needed for a safe return to in-person learning

COUNCILORS KRINTZMAN, GROSSMAN, LAREDO, WRIGHT, KALIS, MALAKIE, GREENBERG, LEARY, RYAN, BAKER, ALBRIGHT, MARKIEWICZ AND NOEL Requesting a discussion about the resources necessary for a speedy and safe return to in person learning, in compliance with the March 9, 2021 guidance from the Massachusetts Department of Elementary and Secondary Education and in anticipation of more than \$48 million in Federal Aid from the American Rescue Plan

Programs & Services Voted No Action Necessary 7-0 on 09/22/2021

Finance voted No Action Necessary 7-0

Referred to Programs & Services and Finance Committees

#156-20

Request for comparison of dog license fines

COUNCILOR ALBRIGHT requesting a comparison of Newton's fine for failure to license a dog to other communities. In addition, requesting an increase in the fine for failure to license a dog.

Programs & Services Voted No Action Necessary 7-0 on 09/22/2021

Finance Voted No Action Necessary 7-0

Referred to Programs & Services and Finance Committees

#157-20

Request for review and changes to off-leash dog ordinance

COUNCILOR ALBRIGHT requesting a review and possible changes to the off-leash dog ordinance to include:

- a) raising fees required by dog walking companies in order to better maintain sites heavily used by dog walkers; and
- b) requiring background checks on dog walkers to assure safety of dog owners and dogs; and
- c) requesting the development of regulations for dog walking and dog daycare companies to assure appropriate care for dogs.

Programs & Services Voted No Action Necessary 7-0 on 09/22/2021

Finance Voted No Action Necessary 7-0

Referred to Public Facilities and Finance Committees

#366-20

Appropriate \$150,000 for the rehabilitation of the Bullough's Pond Dam

HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred and fifty thousand (\$150,000) from Acct # 6200-3240 Stormwater Management Fund Surplus for the purpose of funding engineering design services and permitting fees for the rehabilitation of the Bullough's Pond Dam.

City Council recommitted on 10/05/2020

Public Facilities To Meet

Finance Voted No Action Necessary 7-0

#358-21

Authorizing funds to settle claims against the City

HER HONOR THE MAYOR requesting authorization to transfer funds from several different departments to the Law Department Judgements and Settlements Account in full and final settlement of *Carresi et al v. City of Newton*, 20-cv-11538-DJC and associated grievances.

Finance Approved 7-0