



City Council Actions

In City Council

Monday, February 4, 2019

Present: Councilors Albright, Auchincloss, Baker, Brousal-Glaser, Ciccone, Cote, Crossley, Danberg, Downs, Greenberg, Grossman, Kalis, Kelley, Krintzman, Leary, Lipof, Markiewicz, Noel, Norton, Schwartz and Laredo.

Absent: Councilors Gentile, Lappin & Rice

The City Council discussed the following item on Second Call:

Referred to Programs & Services and Finance Committees

#588-18

Amendment to increase income eligibility for clause 41A tax deferral program

HER HONOR THE MAYOR requesting an amendment to Section 27-10 of the City of Newton Revised Ordinance to increase the maximum qualifying gross receipts amount for the purposes of the Tax Deferral Program from \$60,000 to \$72,000 for the fiscal year beginning July 1, 2018 and for all subsequent years.

Programs & Services Approved 4-0 (Schwartz not voting) on 01/09/19

Finance Approved 6-1 (Lappin opposed)

Motion to amend the maximum qualifying gross receipts amount to \$86,000 was Approved 18 Yeas, 4 Nays (Councilors Auchincloss, Brousal-Glaser, Downs & Leary), 2 Absent (Councilors Kalis & Norton)

Motion to Approve as Amended 22 Yeas, 2 Absent (Councilors Kalis & Norton)

Motion to Reconsider Filed by Councilor Albright on January 23, 2019

Motion to Reconsider Failed to Carry 21 Nays, 3 Absent (Councilors Gentile, Lappin & Rice)

Clerk's Note: Councilor Albright noted that the Mayor had agreed after her filing for reconsideration to the increase to \$86,000 and so there was no longer any need to reconsider this item.

The City Council voted without discussion 21 Yeas, 3 Absent (Councilors Gentile, Lappin & Norton) to Approve the following items:

Referred to Land Use Committee

Tuesday, January 29, 2019

- #621-18** **Amendment Special Permit Orders #62-01 and 62-01(2) at 105 Temple Street**
SCOTT AND URSULA STEELE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Orders #62-01 and #62-01(2) to further increase the non-conforming FAR by constructing a 191 sq. ft. addition in the existing footprint of the house, further extending the non-conforming three-story structure at 105 Temple Street, Ward 3, West Newton, on land known as Section 32 Block 12 Lot 8, containing approximately 14,861 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3., 7.4, 3.1.9, 7.8.2.C.2, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0; Public Hearing Closed 01/29/2019
- #622-18** **Special Permit Petition to increase non-conforming FAR at 48 Billings Park**
MATTHEW DOERINGER petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct a two-car garage in the footprint of a razed garage with an additional 225 sq. ft, exceeding the allowable FAR of .43 where .51 exists and .53 is proposed at 48 Billings Park, Ward 7, Newton, on land known as Section 72 Block 08 Lot 14, containing approximately 8,289 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec. 7.3, 7.4, 3.1.9, 7.8.2.C.2, of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 6-0; Public Hearing Closed 01/29/2019

Referred to Zoning & Planning Committee

Monday, January 28, 2019

- #631-18** **Appointment of Warren Abramson to the Commission on Disability**
HER HONOR THE MAYOR appointing WARREN ABRAMSON, 77 Court Street, Newton, as a member of the COMMISSION ON DISABILITY for a term to expire January 31, 2022. (60 days 02/15/19)
Zoning & Planning Approved 7-0 (Kalis not voting)

Referred to Public Safety & Transportation Committee

Wednesday, January 23, 2019

Referred to Public Safety & Transportation and Finance Committees

- #30-19** **Rescind Order #607-18 and appropriate \$95,000 from Free Cash for Fire expenses**
HER HONOR THE MAYOR requesting rescission of Council Order #607-18 repurposing \$95,844.51 to address Fire Department needs and requesting authorization to appropriate ninety-five thousand dollars (\$95,000) from Free Cash to the following Fire Department accounts:

Automobiles/Light Trucks	\$60,000
Training Expenses	\$10,000
Housekeeping Equipment	\$15,000
Public Buildings Repair and Maintenance	\$10,000

Finance Approved 4-0 (Lappin, Norton, and Rice not voting) on 01/28/19

Public Safety & Transportation Approved 8-0

#577-18

Appeal of Traffic Council Decision on Ward Street

CONGREGATION BETH EL-ATERETH ISRAEL, 561 Ward Street, appealing the approval of Traffic Council petition TC62-18 on October 25, 2018 converting Ward Street between Elmore Street and Morseland Avenue from a one-way westbound street into a two-way street, approves a “do not enter” restriction on Ward Street, eastbound, from Morseland Avenue, and installs a new parking restriction at all times on the south side of Ward Street from Morseland Road to a point 165 feet easterly.

Public Safety & Transportation Denied 8-0

#16-19

Appeal of Traffic Council Decision on Glen Avenue and Elgin Street

COUNCILORS DANBERG, NOEL AND SCHWARTZ, appealing the denial of Traffic Council petition TC59-18 on November 29, 2018 the stop sign at the intersection of Glen Avenue and Elgin Street to create a 4-way stop with the possible examination of other alternatives for increased safety at this intersection.

Public Safety & Transportation Denied 7-0-1 (Noel abstaining)

#38-18

Amend overtime parking ordinance

TRANSPORTATION COORDINATOR, requesting an ordinance amendment to **Chapter 19, Section 190 Overtime parking**, to clarify the language and improve enforcement.

Recommitted to Public Safety & Transportation on 04/02/18

Public Safety & Transportation Approved 8-0

#18-19

Annual report of the work of Traffic Council for 2018

DAVID KOSES, TRAFFIC COUNCIL CHAIR, providing the Annual Report of the work of the Traffic Council for 2018.

Public Safety & Transportation No Action Necessary 8-0

Referred to Public Facilities Committee

Wednesday, January 23, 2019

Referred to Public Facilities and Finance Committees

#52-19

Approve a \$500,000 for snow and ice removal

HER HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Budget Reserve – Snow and Ice Removal Account to the

following accounts:

Rental - Vehicles (0140110-5273).....	\$350,000
Regular Overtime (0140110-513001).....	\$150,000

Finance Approved 7-0 on 01/28/19
Public Facilities Approved 8-0

Referred to Public Facilities and Finance Committees

#51-19

Approve \$3 million for the Pavement Management Program

HER HONOR THE MAYOR requesting authorization to appropriate and expend one million seven hundred fifty thousand dollars (\$1,750,000) from the January 15, 2019 Declaration of Overlay Surplus and authorization to transfer the sum of one million two hundred fifty thousand dollars (\$1,250,000) from Capital Stabilization for a total of three million dollars (\$3,000,000) to be transferred to the City’s Pavement Management Program.

Finance Approved 6-0 (Gentile not voting) on 01/28/19

Public Facilities Approved Subject to Second Call 5-0-2 (Gentile, Lappin abstaining)

Motion to suspend the Rules to allow the Chair of the Public Facilities Committee to Poll Her Committee to approve on First Call was Approved by Voice Vote

Public Facilities Approved on First Call 6-0

Clerk’s Note: The Chair of the Public Facilities Committee noted that the questions that the Committee had regarding this item were answered at the Finance Committee meeting, so there was no need to discuss this item on second call. She requested a motion to suspend the rules to allow her to poll her committee to approve the item on First Call.

Referred to Public Facilities and Finance Committees

#50-19

Amend Sewer Use Charge Ordinance

HER HONOR THE MAYOR proposing Chapter 29, Section 80. **Sewer Use Charge.** be amended by deleting the following sentence: “Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.

Finance Approved 4-0 (Lappin, Norton, and Rice not voting) on 01/28/19

Public Facilities Approved Subject to Second Call 7-0 (Norton not Voting)

Motion to suspend the Rules to allow the Chair of the Public Facilities Committee to Poll Her Committee to approve on First Call was Approved by Voice Vote

Public Facilities Approved on First Call 6-0

Clerk’s Note: The Chair of the Public Facilities Committee noted that the questions that the Committee had regarding this item were answered at the Finance Committee meeting, so there was no need to discuss this item on second call. She requested a motion to suspend the rules to allow her to poll her committee to approve the item on First Call.

Referred to Finance Committee

Monday, January 28, 2019

Referred to Public Safety & Transportation and Finance Committees

#30-19

Rescind Order #607-18 and appropriate \$95,000 from Free Cash for Fire expenses

HER HONOR THE MAYOR requesting rescission of Council Order #607-18 repurposing \$95,844.51 to address Fire Department needs and requesting authorization to appropriate ninety-five thousand dollars (\$95,000) from Free Cash to the following Fire Department accounts:

Automobiles/Light Trucks	\$60,000
Training Expenses	\$10,000
Housekeeping Equipment	\$15,000
Public Buildings Repair and Maintenance	\$10,000

Public Safety Approved 8-0 on 01/23/19**Finance Approved 4-0 (Lappin, Norton, and Rice not voting)**

#48-19

Accept \$20,460 in grant funds from Mass Emergency Management Agency

HER HONOR THE MAYOR requesting authorization to accept and expend a grant from the Massachusetts Emergency Management Agency (MEMA) in the amount of twenty thousand four hundred sixty dollars (\$20,460) to purchase equipment for emergency operations management throughout the City.

Finance Approved 5-0 (Lappin and Rice not voting)

#47-19

Accept \$50,464 in grant funds from Mass Office on Disability for APS

HER HONOR THE MAYOR requesting authorization to accept and expend a grant from the Massachusetts Office on Disability in the amount of fifty thousand four hundred sixty-four dollars (\$50,464) for the purpose of acquiring Accessible Pedestrian Signals.

Finance Approved 6-0 (Gentile not voting)**Referred to Public Facilities and Finance Committees**

#50-19

Amend Sewer Use Charge Ordinance

HER HONOR THE MAYOR proposing Chapter 29, Section 80. **Sewer Use Charge.** be amended by deleting the following sentence: "Notwithstanding the foregoing, seasonal water takers not eligible for an outdoor meter under said section 29-24, shall pay a charge for the use of sewage works in proportion to water consumption.

Public Facilities Approved 7-0 Subject to Second Call on 01/23/19**Finance Approved 4-0 (Lappin, Norton, and Rice not voting)**

Motion to suspend the Rules to allow the Chair of the Public Facilities Committee to Poll Her Committee to approve on First Call was Approved by Voice Vote

Public Facilities Approved on First Call 6-0

Clerk’s Note: The Chair of the Public Facilities Committee noted that the questions that the Committee had regarding this item were answered at the Finance Committee meeting, so there was no need to discuss this item on second call. She requested a motion to suspend the rules to allow her to poll her committee to approve the item on First Call.

Referred to Public Facilities and Finance Committees

#52-19 Approve a \$500,000 for snow and ice removal

HER HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars from the Budget Reserve – Snow and Ice Removal Account to the following accounts:

Rental - Vehicles (0140110-5273).....	\$350,000
Regular Overtime (0140110-513001).....	\$150,000

Public Facilities Approved 8-0 on 01/23/19

Finance Approved 6-0 (Gentile not voting)

Referred to Public Facilities and Finance Committees

#51-19 Approve \$3 million for the Pavement Management Program

HER HONOR THE MAYOR requesting authorization to appropriate and expend one million seven hundred fifty thousand dollars (\$1,750,000) from the January 15, 2019 Declaration of Overlay Surplus and authorization to transfer the sum of one million two hundred fifty thousand dollars (\$1,250,000) from Capital Stabilization for a total of three million dollars (\$3,000,000) to be transferred to the City’s Pavement Management Program.

Public Facilities Approved 5-0-2 (Lappin Gentile abstaining) Subject to Second Call on 01/23/19

Finance Approved 7-0

Motion to suspend the Rules to allow the Chair of the Public Facilities Committee to Poll Her Committee to approve on First Call was Approved by Voice Vote

Public Facilities Approved on First Call 6-0

Clerk’s Note: The Chair of the Public Facilities Committee noted that the questions that the Committee had regarding this item were answered at the Finance Committee meeting, so there was no need to discuss this item on second call. She requested a motion to suspend the rules to allow her to poll her committee to approve the item on First Call.

Referred to Public Facilities and Finance Committees

#31-19 HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Current Year Budget Reserve to the Department of Public Works Processing Recyclables to fund increased costs of processing recyclables due

to changes in the recycling market.

Public Facilities Approved 6-0-1 (Leary abstaining) on 01/09/19

Finance Approved 5-1-1 (Noel opposed, Gentile abstaining) on 01/14/19

City Council Recommitted the item to Finance on 01/22/19

Finance voted No Action Necessary 5-0 (Lappin and Rice not voting)

#49-19

Accept a gift of \$10,000 from the Ruderman Family Foundation

HER HONOR THE MAYOR requesting authorization to accept and expend a gift of ten thousand dollars (\$10,000) from the Ruderman Family Foundation for the purpose of funding an accessible pathway at the Hyde Playground.

Finance Approved 7-0

Referred to Zoning & Planning and Finance Committees

#576-18

Discussion of a visioning process for the land surrounding Riverside MBTA station

COUNCILORS KRINTZMAN, GENTILE, MARKIEWICZ, LAREDO AND AUCHINCLOSS requesting a discussion with the Director of Planning on conducting a vision process for the potential development of the land around the Riverside MBTA station.

Zoning & Planning voted No Action Necessary 7-0 on 01/14/19

Finance voted No Action Necessary 7-0

Public Hearings were reassigned for the following items:

Public Hearing Reassigned for February 12, 2019

#39-19

Special Permit Petition to allow detached garage at 32 Baldpate Hill Road

MATTHEW AND DINA WOSK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow the construction of a detached single-car garage where an attached two car garage exists, to allow greater than 700 sq. ft. of garage space and to allow a retaining wall greater than four feet in height in the setback at 32 Baldpate Hill Road, Ward 8, Newton Centre, on land known as Section 82 Block 26 Lot 01, containing approximately 25,225 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.2.B.1, 3.4.3.A.4.a, 3.4.2.B.1, 3.4.3.A.4.c, 5.4.2 of the City of Newton Rev Zoning Ord, 2017.

Public Hearing Reassigned for February 12, 2019

#40-19

Special Permit Petition to increase non-conforming FAR at 46 Berwick Road

JONATHAN FLYNN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing garage and replace it with a single-car attached garage, library space and a second story accessory apartment, increasing the non-conforming FAR to .65 where .44 is required and .50 exists at 46 Berwick Road, Ward 6, Newton Centre, on land known as Section 52 Block 16 Lot 14, containing approximately 6,437 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref. 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

The City Council voted without discussion 20 Yeas, 1 Nay (Councilor Auchincloss), 3 Absent (Councilors Gentile, Lappin & Rice) to Approve the Committee recommendations on the following item:

- #408-18 Discussion and adoption of Economic Development Strategy Plan**
DIRECTOR OF PLANNING requesting discussion and adoption of the Economic Development Strategy Plan as an amendment to the 2007 Newton Comprehensive Plan.
Zoning & Planning Approved as amended 7-0 (Kalis not voting)