



City Council Actions

In City Council

Tuesday, April 16, 2019

Present: Councilors Albright, Auchincloss, Baker, Ciccone, Cote, Crossley, Danberg, Downs, Gentile, Greenberg, Grossman, Kalis, Kelley, Krintzman, Lappin, Leary, Markiewicz, Noel, Rice, and Laredo

Absent: Councilors Brousal-Glaser, Lipof, Norton, and Schwartz

The City Council discussed the following items on Second Call:

Referred to Programs & Services Committee

#76-19 Home Rule Legislation to amend City Charter

PROGRAMS & SERVICES COMMITTEE requesting that the City Council seek Home Rule Legislation to amend the City Charter based on a review of the 2019 recommendations of the Charter Subcommittee of the Programs & Services Committee except for those relating to City Council composition and term limits for the Council and the Mayor.

Programs & Services Approved as amended 7-0 on March 20, 2019

Item postponed to a date certain of April 16, 2019

Item postponed to date certain of May 6, 2019 by Voice Vote

Clerk's Note: The Chair of the Programs & Services Committee made the motion to postpone the item until May 6, 2019 as there were a number of people not at the meeting, he wanted to provide more time for review of the material, and the Mayor's Office would have some additional information in regards to the Law Department budget that they would like the Councilors to review.

Referred to Programs & Services Committee

#78-19 Resolution to the federal government to adopt a new nuclear policy

COUNCILOR LEARY requesting a Resolution to the federal government to freeze plans to spend over a trillion dollars rebuilding the US nuclear arsenal and instead to adopt a new nuclear policy based on the active pursuit of a verifiable, enforceable agreement among nuclear armed states to eliminate their nuclear arsenals.

Programs & Services Approved 5-0-1 (Kalis abstaining)

Approved 11 Yeas, 4 Nays (Councilors Auchincloss, Gentile, Kelley, and Laredo), 9

Absent (Councilors Brousal-Glaser, Ciccone, Cote, Kalis, Lappin, Lipof, Markiewicz, Norton, and Schwartz)

Clerk's Note: The Chair of the Programs & Services Committee reported on the item and deferred to Councilor Leary to provide more detail. Councilor Leary stated that she placed this item on second call so that Councilors could have a little discussion about why this is important. She wanted to

acknowledge the hard work of Newton Dialogues on Peace and War. Their energy and activity has kept the issue in the limelight. She stated that this resolution calls upon our federal leaders to make nuclear disarmament a priority for National security policy and to work towards the goal of signing the treaty on the prohibition of nuclear weapons. She recognized the work of past Newton leaders on this issue.

Many Councilors are concerned with the threat of nuclear war and the danger of nuclear weapons, but felt that they did not have enough information on the implications of the requests in this resolution. Concern was raised about taking unilateral action and how it might embolden our enemies and make the country and the world less safe. More conversation needs to be undertaken.

It was felt by some that this request was outside the scope of the work of the City Council. For others it was felt that the issue was one that the Council should address as it impacts the lives of Newton residents and that the work of the Council is within the context of state's and the country's issues.

Several Councilors felt that the amounts spent on nuclear arms and weapons are a colossal waste of money and are in support of the resolution. The federal government spends more on weapons than on infrastructure.

Several Councilors stepped outside the rail for the vote.

The City Council voted without discussion 18 Yeas, 6 Absent (Councilors Baker, Brousal-Glaser, Greenberg, Lipof, Norton, and Schwartz) to Accept the Committee Recommendations on the following items:

Referred to Land Use Committee

Tuesday, April 2, 2019

- #105-19** **Petition to grant 11 parking waivers at 2345 Commonwealth Avenue (Marriot Hotel)**
CHSP TRS Newton, LLC d/b/a Marriott Newton petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Order #385-08 to allow restructuring of the parking layout, eliminating 14 parking stalls and requiring a waiver of 11 stalls at 2345 Commonwealth Avenue, Ward 4, Auburndale, on land known as Section 02 Block 30 Lot 18, containing approximately 11.4 acres of land in a district zoned BUSINESS USE 5. Ref. Sec. 7.3.3, 7.4, 5.1.4.A of the City of Newton Rev Zoning Ord, 2017.
Land Use Approved 7-0; Public Hearing Closed April 2, 2019

Referred to Land Use Committee

Tuesday, April 9, 2019

- #177-18(2) Request for Extension of Time to Exercise Special Permit at 36 Cummings Road**
ANNAMARIA MARIANI/BILL FABRIZIO petition for an EXTENSION OF TIME to EXERCISE Special Permit Council Order #177-18 to construct a two-story addition to the rear and side of the house, extending the existing non-conforming structure at 36 Cummings Road, Ward 2, Newton Centre, on land known as Section 64 Block 03 Lot 47, containing approximately 18,866 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 7.8.2.C.2 of the City of Newton Rev Zoning Ord, 2017. Said extension will run from April 17, 2019 to April 17, 2020.

Land Use Approved 8-0

- #88-19(2) Extension of Time to Open a Public Hearing at 41 Washington Street**
JANE O'CONNOR agrees to an EXTENSION OF TIME to open the public hearing until May 14, 2019 for Special Permit #88-19 for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a rear lot subdivision to create two lots, abandon the two-family use in the existing structure and creating a second single-family on the rear lot, extending the existing non-conforming side setback at 41 Washington Street, Ward 1, Newton, on land known as Section 71 Block 29 Lot 07, containing approximately 25,964 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3, 7.4, 3.5, 3.1.10, 3.1.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Land Use Approved 8-0**Referred to Zoning & Planning Committee**

Monday, April 8, 2019

- #127-19 Submission of the FY20 Annual Action Plan To HUD**
HER HONOR THE MAYOR requesting City Council authorization, pursuant to the 2019 Revised Citizen Participation Plan, to submit the FY20 Annual Action Plan to the US Department of Housing and Urban Development (HUD) for the City of Newton Community Development Block Grant (CDBG) and Emergency Solution Grant (ESG) funds and the WestMetro HOME Consortium.

Zoning & Planning Approved 8-0**Referred to Programs & Services Committee**

Wednesday, April 3, 2019

- #129-19 Appointment of Yasodhara Paruchuru to Urban Tree Commission**
HER HONOR THE MAYOR appointing YASODHARA PARUCHURU to the URBAN TREE

COMMISSION for a term to expire April 30, 2022. (60 days: 5/29/19)
Programs & Services Approved 4-0 (Kalis and Krintzman not voting)

- #130-19** **Appointment of Michele Fortez-Cruz to Urban Tree Commission**
HER HONOR THE MAYOR appointing MICHELE FORTEZ-CRUZ to the URBAN TREE COMMISSION for a term to expire April 30, 2022. (60 days: 5/29/19)
Programs & Services Approved 4-0 (Kalis and Krintzman not voting)

Referred to Programs & Services and Finance Committees

- #127-18** **Prohibition on polystyrene-based disposable food or beverage containers**
COUNCILORS DANBERG, ALBRIGHT, NORTON, CROSSLEY, LEARY AND KALIS 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 with in the City.
Finance Approved 8-0 on 04/08/19
Programs & Services Approved 5-0 (Krintzman not voting)

Referred to Public Safety & Transportation Committee

Wednesday, April 3, 2019

- #137-19** **Request for one (1) new van license for Garden Remedies**
LAZ Parking Limited, LLC requesting **one (1) new van license** for Garden Remedies, Inc.
Public Safety & Transportation Approved Withdrawal Without Prejudice 7-0

- #22-19** **Update and discussion on the implementation of the Passport Parking Application**
COUNCILORS KRINTZMAN, DOWNS, ALBRIGHT, KELLEY, AUCHINCLOSS AND NOEL, requesting an update and discussion with the Director of Transportation from the Department of Public Works on the implementation of the Passport Application for parking. The discussion should also include an analysis of potential billing discrepancies between cash payments and payments made through the Passport Application as well as possible future modifications.
Public Safety & Transportation voted No Action Necessary 7-0

Referred to Public Facilities Committee

Wednesday, April 3, 2019

- #114-19** **ExteNet Systems petition for wireless grant of location on Adams Street**
EXTENET SYSTEMS, LLC petitioning for a grant of location to install a small cell wireless facility on an existing utility pole located in the right-of-way in the vicinity of 132 Adams Street. The installation will include an antenna, radio equipment, an electric meter, and cabling for fiber and power to enhance wireless coverage in the area. (60-day action date: 05/04/19)
Public Facilities Approved 4-0 (Danberg not voting)

- #279-18** **Petition for Drain Extension in Staniford Street**
JAMES BARBERIO, 49 STANIFORD STREET, ET AL petition for main drain extensions in STANIFORD STREET from the property at 65 Staniford Street 450'± easterly to the existing sewer manhole at the intersection of Staniford Street and Freeman Street and from the property at 68 Staniford Street 700'± to the existing sewer manhole at the intersection of Staniford Street and West Pine Street.
Public Facilities Approved 4-0 (Danberg not voting)

Referred to Public Facilities and Finance Committees

- #118-19** **Funding for a sewer main extension in Staniford Street**
HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty-six thousand dollars (\$256,000) from the Sewer Fund Reserve for the purpose of funding the Staniford Street Sewer Extension.
Finance Approved 8-0
Public Facilities Approved 4-0 (Danberg not voting)

- #133-19** **Partial easement relocation on Boston College Middle Campus**
COMMISSIONER OF PUBLIC WORKS requesting the relocation of a portion of an easement from the Trustees of Boston College to the City of Newton for drain lines in Section 63, Block 9, Lot 2 (Boston College Middle Campus) originally granted in 1917 and partially relocated in 2010 and 2013 under Board Orders # 232-10 and #232-10(2) and again in 2018 under Council Order #357-18 to reroute a portion of the existing City storm drain beyond the footprint of the planned Integrated Science Building. There will be no cost to the City.
Public Facilities Approved 4-0 (Danberg not voting)

Referred to Finance Committee

Monday, April 8, 2019

Referred to Public Safety & Trans., Public Facilities, and Finance Committees

- #103-19** **Request to bond \$5.6 million for the West Newton Square Project**
HER HONOR THE MAYOR requesting authorization to appropriate five million six hundred thousand dollars (\$5,600,000) from bonded indebtedness for the purpose of funding the construction of the West Newton Square, which includes street and pedestrian improvements, traffic flow upgrades, signal upgrades, parking upgrades, and the addition of bike lanes.
Public Safety & Transportation Approved 6-0 on 03/06/19
Public Facilities Approved 6-0-1 (Gentile abstaining) on 03/06/19
Finance Approved 8-0

Referred to Public Facilities and Finance Committees

#119-19

Appropriation to fund a sewer connection at Rumford Avenue transfer station

HER HONOR THE MAYOR requesting authorization to appropriate and expend one hundred twenty-nine thousand dollars (\$129,000) from the Sewer Reserve Fund to install a sewer connection to the Rumford Avenue transfer station for an office trailer at the site.

Public Facilities Approved 5-0 on 03/20/19

Finance Approved 8-0

Referred to Public Facilities and Finance Committees

#118-19

Funding for a sewer main extension in Staniford Road

HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty-six thousand dollars (\$256,000) from the Sewer Fund Reserve for the purpose of funding the Staniford Street Sewer Extension.

Public Facilities Approved 4-0 (Danberg not voting) on 04/03/19

Finance Approved 8-0

Referred to Public Facilities and Finance Committees

#120-19

Approve appropriation of \$500,000 for snow and ice removal

HER HONOR THE MAYOR requesting authorization to appropriate five hundred thousand dollars (\$500,000) from Free Cash to the following accounts:

Rental - Vehicles

(0140110-5273)..... \$250,000

Regular Overtime

(0140110-513001)..... \$250,000

Public Facilities Approved as Amended 5-0 @ \$750,000 on 03/20/19

Finance Approved as Amended 8-0 @ \$750,000

Referred to Public Facilities and Finance Committees

#121-19

Funding for the South Meadow Brook Culvert at 170 Needham Street

HER HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty thousand dollars (\$250,000) from the Stormwater Management Fund Surplus Account for the cleaning, inspection, and assessment for 230 linear feet of 5' x 16' concrete box culvert located adjacent to 170 Needham Street that conveys stormwater from the South Meadow Brook drainage basin.

Public Facilities Approved 5-0 on 03/20/19

Finance Approved 8-0

Referred to Programs & Services and Finance Committees

#127-18

Prohibition on polystyrene-based disposable food or beverage containers

COUNCILORS DANBERG, ALBRIGHT, NORTON, CROSSLEY, LEARY AND KALIS 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 with in the

City.

Programs & Services Approved 5-0 (Krintzman not voting)

Finance Approved 8-0

#95-19

Mayor’s reappointment of Emma Watkins to the Taxation Aid Committee

HER HONOR THE MAYOR reappointing EMMA WATKINS, 17 Otis Street, Newtonville as a member of the Newton Taxation Aid Committee for a term of office to expire March 1, 2022. (60 days: 05/03/19)

Finance Approved 8-0

A motion to suspend the rules to allow the Chair of the Finance Committee to report out the following item which was taken up earlier in the evening without a written report was Approved by Voice Vote

#96-19

Mayor’s appointment of Suzanne Offit to the Taxation Aid Committee

HER HONOR THE MAYOR appointing SUZANNE OFFIT, 1429 Commonwealth Avenue, West Newton as a member of the Newton Taxation Aid Committee for a term of office to expire December 31, 2021. (60 days: 05/03/19)

Finance Approved 7-0

Public Hearings were assigned for the following items:

Public hearing assigned for May 1, 2019

#146-19

Eversource petition for a Grant of Location in Walnut Street

EVERSOURCE petitioning for a grant of location to install:

- 30’ ± of 4” conduit in FOSTER STREET from Pole #37/1 southeasterly thence turning southerly to Walnut Street,
- 156’ ± of 4” conduit in WALNUT STREET from the intersection of Foster Street southerly to a proposed manhole
- 21’ of “conduit in WALNUT STREET from proposed Manhole #30684 westerly to the property line of 241 Walnut Street.

Public Hearing assigned for May 6, 2019:

Referred to Public Facilities and Finance Committees

#541-18(2)

Proposed Water, Sewer and Stormwater Rates

HER HONOR THE MAYOR submitting recommended FY2020 Water/Sewer/Storm Water Rates for implementation on July 1, 2019, as follows:

FY 2020 Tiers & Rates for Water and Sewer

<u>HCF Per Quarter</u>	<u>Water Rate Per HCF</u>	<u>Sewer Rate Per HCF</u>
0-10	\$6.72	\$10.70

11-25	\$7.75	\$12.52
26-60	\$8.90	\$13.45
>60	\$11.10	\$15.47
Irrigation	\$12.25	n/a

Note: The below FY20 stormwater fees were approved by the City Council on 03/04/19

FY 2020 Stormwater Fees

1-4 family dwellings \$100.00

Commercial Stormwater Fees: based on impervious area - \$0.0470 per impervious square foot.

Public Hearing assigned for May 6, 2019:

Referred to Finance and Appropriate Committees

#542-18 Submittal of the FY 2020 to FY 2024 Capital Improvement Plan
HER HONOR THE MAYOR submitting the Fiscal Years 2020 to 2024 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter.

Public Hearing assigned for May 6, 2019:

Referred to Finance and Appropriate Committees

#542-18(3) Submittal of the FY 2020 – FY 2024 Supplemental Capital Improvement Plan
HER HONOR THE MAYOR submitting the FY 2020 – FY 2024 Supplemental Capital Improvement Plan.

Public hearing assigned for May 7, 2019

#138-19 Petition to amend Special Permit to allow paved parking area at 206 Waltham Street
SCANDINAVIAN CHARITABLE SOCIETY OF GREATER BOSTON petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special Permit Board Order #61-91 to modify the site plan to allow paving of a parking area at the front of the site at 206 Waltham Street, Ward 3, West Newton, on land known as Section 31 Block 28 Lot 80, containing approximately 125,512 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec. 7.3.3, 7.4 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

Public hearing assigned for May 7, 2019

#139-19 Special Permit to extend nonconforming side and rear setbacks at 11 Avon Place
RUI GUAN ZHANG petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct an addition to the front of the house and raise the roof to create 2.5 stories where 2 stories exist, vertically extending the nonconforming side and rear setbacks at 11 Avon Place, Ward 1, Newton, on land known as Section 12 Block 09 Lot 04, containing approximately 3,183 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: Sec. 7.3.3, 7.4, 3.2.3, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.