



City Council Actions

In City Council

Monday, June 4, 2018

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

Absent: Councilor Rice

The City Council discussed the following items on second call:

Referred to Finance and Appropriate Committees

#63-18

Submittal of the FY 2019 to FY 2023 Capital Improvement Plan

HIS HONOR THE MAYOR submitting the Fiscal Years 2019 to 2023 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. (Submitted 10/16/17)

City Council Approved 22 yeas, 2 absent (Baker and Brousal-Glaser absent) on May 24, 2018

A Motion for Reconsideration was filed by Councilor Gentile on May 25, 2018.

The Council voted No Action Necessary on the motion to Reconsider.

Referred To Finance and Appropriate Committees

#251-18

Submittal of the FY 2019 – FY 2023 Supplemental Capital Improvement Plan

HER HONOR THE MAYOR submitting the FY 2019 – FY 2023 Supplemental Capital Improvement Plan. (with FY 18 Amendments)

City Council Approved 21 yeas, 1 Nay (Cote) 2 absent (Baker and Brousal-Glaser absent) on May 24, 2018

A Motion for Reconsideration was filed by Councilor Gentile on May 25, 2018.

The Council voted No Action Necessary on the motion to Reconsider.

Clerk's Note: Councilor Gentile asked that Reconsideration on the above two items be voted No Action Necessary noting that delaying the approval of the CIP items would force the discussion into a new fiscal year.

The City Council voted without discussion 23 Yeas, 1 Absent (Councilor Rice) to Approve the Committee recommendations on the following items:

Referred to Land Use Committee

#180-18 **Petition to amend Board Orders 43-10 and 370-12(2) at 199 Boylston Street**
TIM FOX/SIMON MALLS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow non-accessory parking to lease 496 parking stalls to off-site, third party users, requiring amendments to Special Permit Board Orders #43-10 and #307-12, a waiver for 496 parking stalls and approval to allow non-accessory parking at 199 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 65 Block 08 Lot 100, containing approximately 324,691 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: 7.3.3, 7.4, 4.4.1, 5.1.4, 5.1.1 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved 7-0-1 (Laredo abstaining); Public Hearing Closed 05/15/2018

A Motion to Suspend the rules to allow the Chair of the Land Use Committee to poll his committee was Approved by Voice Vote

Land Use Held 8-0

Clerk's Note: It was discovered that the notification for the Public Hearing on this item did not include all of the abutters that it should have and a new hearing will need to be undertaken. The Committee voted to hold the item in Committee so that the new hearing could be undertaken. The new hearing was assigned for July 10, 2018.

A Motion to Suspend the Rules to allow the Chair of the Land Use Committee to report the following item taken up earlier in the evening without a written report was Approved by Voice Vote.

#287-18 **Request for an extension of time to exercise Special Permit #340-16 on Cottage Ct**
SEAN ELISEEV AND EVGENIA ELISEEVA petition for an EXTENSION OF TIME to EXERCISE Special Permit #340-16 to further increase the non-conforming setback and use at 15 Cottage Court, Ward 1, Newton, said extension to run from January 22, 2018 to January 19, 2019. Ref: 7.3.2.E of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Land Use Approved 8-0

Zoning & Planning Committee

Tuesday, May 29, 2018

#268-18 **Submission of the FY19 Annual Action Plan to HUD**
HER HONOR THE MAYOR requesting City Council authorization to submit the FY19 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) for the City of Newton Community Development Block Grant (CDBG), Emergency Solution Grant (ESG) funds and the WestMetro HOME Consortium.

Zoning & Planning Approved 6-0 (Baker not voting)

- #299-18 Appointment of Kelley Brown to the Planning & Development Board**
HER HONOR THE MAYOR appointing KELLEY BROWN, 457 Waltham Street, West Newton, as a full member of the PLANNING & DEVELOPMENT BOARD for a term to expire February 1, 2019.
Zoning & Planning Approved 5-0-1 (Kalis abstaining; Baker not voting)
- #256-18 Appointment of Jennifer Bentley to Newton Historical Commission**
HER HONOR THE MAYOR appointing JENNIFER BENTLEY, 168 Mount Vernon Street, West Newton, as an at-large alternate member of the NEWTON HISTORICAL COMMISSION for a term to expire May 31, 2021. (60 days: July 6, 2018)
Zoning & Planning Approved 6-0 (Baker not voting)
- #257-18 Appointment of Deborah Budd to the Newton Historical Commission**
HER HONOR THE MAYOR appointing DEBORAH BUDD, 224 Jackson Street, Newton Centre, as a realtor alternate member of the NEWTON HISTORICAL COMMISSION for a term to expire May 31, 2021. (60 days: July 6, 2018)
Zoning & Planning Approved 6-0 (Baker not voting)
- #303-18 Appointment of Debora Jackson to the Economic Development Commission**
HER HONOR THE MAYOR appointing DEBORA JACKSON, 4 Pine Meadow Drive, Auburndale, to the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 14, 2021.
Zoning & Planning Approved 6-0 (Baker not voting)
- #304-18 Appointment of Sarah Rahman to the Economic Development Commission**
HER HONOR THE MAYOR appointing SARAH RAHMAN, 33 Staniford Street, Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 14, 2021.
Zoning & Planning Approved 6-0 (Baker not voting)
- #305-18 Appointment of Beth Nicklas to the Economic Development Commission**
HER HONOR THE MAYOR appointing BETH NICKLAS, 100 Algonquin Road, Chestnut Hill, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 14, 2021.
Zoning & Planning Approved 6-0 (Baker not voting)
- #306-18 Appointment of Matt Segneri to the Economic Development Commission**
HER HONOR THE MAYOR appointing MATT SEGNERI, 45 Cedar Street, Newton Centre, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 14, 2021.
Zoning & Planning Approved 6-0 (Baker not voting)

#307-18 Re-appointment of Charles Tanowitz to the Economic Development Commission
HER HONOR THE MAYOR re-appointing CHARLES TANOWITZ, 51 Harding Street, West, Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 14, 2021.

Zoning & Planning Approved 6-0 (Baker not voting)

#308-18 Re-appointment of Jeremy Freid to the Economic Development Commission
HER HONOR THE MAYOR re-appointing JEREMY FREID, 35 Cotton Street, Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire May 14, 2021.

Zoning & Planning Approved 6-0 (Baker not voting)

Referred to Finance Committee

Wednesday, May 30, 2018

#281-18 Request to increase the retiree COLA base from \$12,000 to \$13,000
RETIREMENT BOARD requesting City Council approval of an increase to the retiree Cost Of Living Adjustment (COLA) base from twelve thousand dollars (\$12,000) to thirteen thousand dollars (\$13,000), pursuant to Chapter 32, Section 103(j), such increase to be effective July 1, 2018.

Finance Denied 4-0

#327-18 Transfer of \$20,000 for vehicle maintenance for ISD vehicles
HER HONOR THE MAYOR requesting authorization to transfer the sum of twenty thousand dollars (\$20,000) from Inspectional Services Full-time Salaries to Inspectional Services Vehicle Maintenance to fund the costs of repairs to Inspectional Services Department vehicles.

Finance Approved 4-0

#328-18 Transfer of \$348,000 to fund an agreement with the Teamsters Union
HER HONOR THE MAYOR requesting authorization to transfer the sum of three hundred forty-eight thousand dollars (\$348,000) from Current Year Reserve Accounts to various department budgets in order to fund the cost items set forth in the one-year contract agreement with the Teamster Union.

Finance Approved 4-0

#195-18 Investment Policy for the Rainy Day Stabilization Fund
COUNCILOR GENTILE, on behalf of the Investment Advisory Committee, submitting its recommendation for an investment policy for the Rainy Day Stabilization Fund.

Finance Approved as Amended 4-0 by revising the buffer language

The following three items were filed after the close of the Docket and Motions to Suspend the Rules to accept the items to the Docket and assign them to Committees were Approved by Voice Vote.

Referred to Finance Committees

#349-18 Assessment of Curb Betterments

COMMISSIONER OF PUBLIC WORKS requesting approval of the following mentioned sidewalk/driveway apron and/or curb betterments; said betterments to be levied under the provisions of MGL Chapter 83, Sec. 26, authorizing the assessment of betterments for construction:

Address	Owner Name	Book/Page	Sec/Block/Lot	Total Cost
66 Waban Hill Road	Kiley Manley J., Jr. & Leahy Mary M.	64001/532	63008 0041	\$2,445.00
94 Waban Hill Road	Crocetti Francis P. & Lucinda A.	985/151	63008 0036	\$4850.00
225 Arnold Road	Schwartz Jeffrey g. & Schwartz Laura P.	51178/524	81008 0001	\$4,850.00
59 Hancock Avenue	Foster William & Rachel	63660/469	64016 0020	\$2,550.00
26 Dartmouth Street	Marjorie E. Korff Trust, Korff, Robert S. & Fellman, Ronald M. Trs	59358/389	32033 0011	\$5,500.00
35 Dartmouth Street	Silverman Steven & Elisa	63326/136	32029 0012A	\$10,032.50
20 Beechcroft Road	Cahill Lawrence & Cahill Lisa G. sowie	56966/281	72035 0004	\$2,132.50
321 Commonwealth Avenue	Deng Shaohua & Shen Lin	67833/494	61009 0005	\$2,672.50

Referred to Public Facilities and Finance Committees

#356-18 Request to transfer \$150,000 to fund repair/replacement of streetlights

HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred fifty thousand dollars (\$150,000) from Current Year Budget Reserve for the purpose of funding the repair/replacement of streetlights that have been out service for many years due to underground problems.

Referred Public Facilities Committee

- #357-18 COMMISSIONER OF PUBLIC WORKS requesting in accordance with Massachusetts General Law Ch. 40, Sec. 15., relocation of a portion of a 20' wide City drain and sewer easement in the center of Section 63, Block 9, Lot 2 (Boston College Middle Campus) located parallel to College Road and shown on the Easement Plan completed by Feldman Land surveyors, dated April 6, 2018.

Public Hearings were assigned for the following items:***Public Hearing Assigned for June 26, 2018***

- #338-18 **Special Permit Petition to exceed FAR at 22 Beecher Place**
BEN BRESSEL petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to enclose the front porches, adding approximately 158 sq. ft. to the structure, creating an FAR of .49 where .48 is allowed at 22 Beecher Place, Ward 6, Newton Centre, on land known as Section 81 Block 01 Lot 03 containing approximately 10,146 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.2.3, 3.2.11 of the City of Newton Rev Zoning Ord, 2015.

Public hearing assigned for June 6, 2018

- #342-18 **National Grid petition for grant of location in Beacon Street**
NATIONAL GRID petition for a grant of location to install and maintain 320' ± of 6" gas main in Short Street from the existing 6" gas main in Montclair Road in a northeasterly direction to the endpoint of the existing gas main in front of 1521 Beacon Street to provide new service to 1521 Beacon Street. (Ward 5)

The City Council Approved by Unanimous Voice Vote the re-hearing of the following item and assigned the public hearing for July 10, 2018:

- #180-18 **Petition to amend Board Orders 43-10 and 370-12(2) at 199 Boylston Street**
TIM FOX/SIMON MALLS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow non-accessory parking to lease 496 parking stalls to off-site, third party users, requiring amendments to Special Permit Board Orders #43-10 and #307-12, a waiver for 496 parking stalls and approval to allow non-accessory parking at 199 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 65 Block 08 Lot 100, containing approximately 324,691 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: 7.3.3, 7.4, 4.4.1, 5.1.4, 5.1.1 of the City of Newton Rev Zoning Ord, 2015.