



## City Council Actions

### In City Council

**Monday, September 19, 2016**

**Present:** Councilors Albright, Auchincloss, Baker, Blazar, Brousal-Glaser, Ciccone, Cote, Crossley, Danberg, Fuller, Gentile, Harney, Hess-Mahan, Kalis, Lappin, Laredo, Leary, Lennon, Lipof, Norton, Sangiolo, Schwartz and Yates.

**Absent:** Councilor Rice

**The City Council discussed the following item on Second Call:**

**#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)**

**Motion to add Emergency Preamble:**

WHEREAS, it is the opinion of the City Council that the following measure constitutes an Emergency Measure under Section 2-9(b) of the Charter of the City of Newton due to the fact that a health/safety emergency exists: specifically, there is an immediate need to install modular classrooms at Newton South High School and Brown Middle School to relieve a shortage of classroom space at both schools as soon as possible in the 2016-2017 school year.

THEREFORE, the following measure shall be and hereby is adopted as an Emergency Measure, which shall take effect immediately upon adoption:

**City Council Approved Item Unanimously by Voice Vote**  
**City Council Approved Emergency Preamble 23 Yeas, 1 Absent (Councilor Rice)**

**Clerk's Note:** This item was placed on second call to add an emergency preamble so that the installation of the modular classrooms could start immediately. There was some concern regarding construction noise during the school day and that the Council was put in a position of having to approve an emergency preamble, but in the end the Council voted to approve the item along with the emergency preamble.

**The City Council voted without discussion 23 Yeas, 1 Absent (Councilor Rice) to take the following actions:**

**Referred to Land Use Committee**

**September 13, 2016**

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

**Referred to Programs & Services Committee**

**September 7, 2016**

- #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)**

**#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)**

### **Referred To Public Safety & Transportation Committee**

**Wednesday, September 7, 2016**

**#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)**  
**Motion was made to suspend the rules to allow the Vice Chair of the Public Safety Committee to poll his committee to make the report of Public Safety consistent with the Finance Committee Approved**  
**Public Safety Approved 8-0**

**#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)**

**#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

**#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**

- #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 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)**

**Motions were made to accept to the Docket and refer to Committee the following three items:**

**Referred to Finance Committees**

- #320-16 Request to appropriate \$50,000 to settle a claim**  
HIS HONOR THE MAYOR requesting authorization to appropriate fifty thousand dollars (\$50,000) from the Judgments and Settlements Account as full and final settlement of a claim against the Newton Public Schools. 09/14/16 @ 1:10 PM]  
**Note: A motion for Executive Session may be entertained when this item is discussed in Committee.**

**Referred to Finance Committees**

- #321-16 Request to appropriate \$10,488.03 to settle a claim**  
HIS HONOR THE MAYOR requesting authorization to appropriate ten thousand four hundred eighty-eight dollars and three cents (\$10,488.03) from the Judgments and Settlements Account as full and final settlement of Commerce Insurance Company's claim against the City of Newton. 09/14/16 @ 1:10 PM]

**Referred to Public Facilities and Finance Committees**

- #323-16 Request for \$300,000 for funding to purchase sand and salt spreaders**  
HIS HONOR THE MAYOR requesting authorization to appropriate three hundred thousand dollars (\$300,000) from Free Cash for the purpose of providing funding for sand and salt spreaders for the Public Works Department's snow operations. [09/14/16 @ 1:10 PM]

**Public Hearings were assigned for the following Docket Items:**

***Public hearing assigned for October 5, 2016***

- #315-16 Verizon petition for grant of location at Blake Street**  
EVERSOURCE ENERGY AND VERIZON NEW ENGLAND, INC. petitioning for a grant of location to relocate Pole #44/4 on Blake Street approximately 341' south of Cabot Road to accommodate a new driveway at house #28. (Ward 2) [09/02/16 @ 2:00 PM]

***Public hearing assigned for October 5, 2016***

- #316-16 National Grid petition for grant of location in Ruane Road**  
NATIONAL GRID petitioning for a grant of location to install and maintain 110' ± of 4" main in Ruane Road from existing gas main at #74 Ruane in an easterly direction to house #61 for new gas service. [(Ward 3) 09/07/2016 @ 12:40 PM]

***Public Hearing Assigned for October 13, 2016***

- #308-16 Special Permit Petition to further increase nonconforming setback at 79 Kenwood Ave**  
SURRENDRA DUDANI AND SHALINI SEN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to FURTHER INCREASE THE NONCONFORMING SETBACK by razing the

existing 12'x22' detached garage and construct a 22'x22' detached garage, reducing the setback from 16.2' to 6.2' where 25' is required at Kenwood Avenue, Ward 6, Newton Centre, on land known as SBL 64 20 01, containing approximately 7,964 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.4, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

***Public Hearing Assigned for October 13, 2016***

**#309-16 Special Permit Petition exceed FAR at 41 Woodlawn Drive**

LINDA AND DAVID GILLESPIE petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXCEED FAR to construct an addition to the basement and first level without the retaining wall as required to keep the FAR within by right limits at 41 Woodlawn Drive, Ward 7, Chestnut Hill, on land known as 63 05 27, containing approximately 8,000 sq. ft. of land in a district zoned SNGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

***Public Hearing Assigned for October13, 2016***

**#310-16 Special Permit Petition exceed FAR at 20 Morton Road**

DAVID AND LOUISA WEST petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXCEED FAR to raze an existing detached garage and rear porch and construct a two-car attached garage, family room and new first floor kitchen and master bedroom above the garage at 20 Morton Road, Ward 2, Newton Centre, on land known as SBL 24 43 18, containing approximately 8,705 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: 7.3.3, 7.4, 3.1.9 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

***Public Hearing Assigned for October 25, 2016***

**#311-16 Special Permit Petition to exceed FAR at 235 Woodcliff Road**

CARY AND SUZANNE ROBINS petition for SPECIAL PERMIT/SITE PLAN APPROVAL to EXCEED FAR by adding a basement level two-car attached garage with great room above, creating an FAR of .60 where .49 is allowed at 235 Woodcliff Road, Ward 8, Newton Highlands, on land known as SBL 81 21 04, containing approximately 7,500 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 3.1.9.A.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

***Public Hearing Assigned for October 25, 2016***

**#312-16 Special Permit Petition to establish accessory apartment at 74 Waban Street**

JOE ROMAN/BROWN DOG PROPERTIES, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ESTABLISH AN ACCESSORY APARTMENT in an existing third unit of a two-family dwelling, add dormers and raze the existing detached garage to build a 652 sq. ft. three car garage and construct two parking stalls within 5' of a street at 74 Waban Street, Ward 1, Newton, on land known as SBL 12 05 05A, containing approximately 12,155 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 6.7.1.D, 5.1.7.A, 5.1.13 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.



***Public Hearing Assigned for October 25, 2016***

**#313-16**      **Special Permit to allow three-story single-family structure at 84 Roundwood Rd**  
RICHARD BLISS AND CHRISTINE MURPHY petition for SPECIAL PERMIT/SITE PLAN APPROVAL to ALLOW THREE-STORY SINGLE-FAMILY STRUCTURE by adding a second floor over the existing floor print, creating a three story structure at 84 Roundwood Road, Ward 5, Newton Upper Falls, on land known as SBL 51 15 43, containing approximately 12,150 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: 7.3.3, 7.4, 1.5.4.D-F, 3.1.3 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.