

**CITY OF NEWTON**

**IN BOARD OF ALDERMEN**

**BOARD ACTIONS**

Monday, February 6, 2012

Present: Ald. Albright, Baker, Blazar, Ciccone, Crossley, Danberg, Fischman, Fuller, Gentile, Harney, Hess-Mahan, Johnson, Kalis, Lappin, Laredo, Linsky, Merrill, Rice, Schwartz, Swiston, Yates and Lennon

Absent: Ald. Salvucci and Sangiolo

**THE BOARD OF ALDERMEN DISCUSSED AND VOTED THE FOLLOWING ITEM ON SECOND CALL:**

*The following item was denied by the Board of Aldermen on December 5, 2011. A resolution, #297-11(2), was approved requesting the Mayor consider locating the function in the Inspectional Services Department. In accordance with Article I section 3D of the Rules & Orders of the Board, "No petition addressed to the Board, the subject matter of which has been disposed of during the preceding 12-month period, shall be referred to any committee except by majority vote of the Board. Refusal to refer it shall constitute a denial of the petition on the ground that no further action by the Board is deemed necessary*

#297-11(3) **HIS HONOR THE MAYOR** re-submitting a reorganization request pursuant to City Charter §6-2 to change the assignment of responsibility of the Licensing Board of Commissioners Administrative Director/Agent from the Veterans' Services Department to the Department of Health and Human Services (60 days 03/06/12). [01/30/2012 @ 4:18PM]

**ITEM CHARTERED BY ALD. YATES**

Clerk's Note:

**REFERRED TO REAL PROPERTY REUSE COMMITTEE**

*Item Recommended by Board of Aldermen on January 17, 2012:*

#150-09(6) **JOINT ADVISORY PLANNING GROUP and PLANNING & DEVELOPMENT DEPARTMENT** filing their separate reports pursuant to Ordinance Sec. 2-7(2)b identifying alternatives for the future use of the Austin Street municipal parking lot at 28 Austin Street, on land known as SBL 24, 9, 15, containing approximately 74,536 sq. ft. of land, in Newtonville, which was declared surplus by the Commissioner of Public Works on December 1, 2010.  
**APPROVED A MINIMUM SALE PRICE OF \$1 MILLION 5-0-3 (Albright, Crossley, Danberg abstaining)**

**MOTION TO AMEND THE BOARD ORDER BY REPLACING THE TEXT OF THE TERMS OF SALE OR LEASE SECTION WITH THE FOLLOWING TEXT WAS APPROVED 13 YEAS, 9 NAYS (Ald. Baker, Ciccone, Fischman, Fuller, Gentile, Lappin, Laredo, Swiston, Lennon), 2 ABSENT (Ald. Salvucci & Sangiolo)**

*The Board sets the value of the land for sale or lease as nominal, but requiring a monetary bid, to provide flexibility to select a proposal that balances the bid offered in answer to the RFP with the amenities and public benefits offered which benefit the city as referenced in this Board Order. The sale price will include a minimum of 85 parking spaces for the City's use at no cost to the City.*

**MOTION TO AMEND THE BOARD ORDER BY REPLACING RESOLUTION #10 WITH THE FOLLOWING TEXT WAS APPROVED BY VOICE VOTE**

*10. That funds at least equal to the monetary bid received for the sale or lease of the property be used to enhance the redevelopment of the site and improve Newtonville center more generally.*

**MOTION TO DELETE RESOLUTION #10 FAILED TO CARRY 13 NAYS, 9 YEAS (Ald. Baker, Ciccone, Fischman, Fuller, Gentile, Lappin, Laredo, Swiston, Lennon), 2 ABSENT (Ald. Salvucci & Sangiolo)**

**APPROVED AS AMENDED 16 YEAS, 6 NAYS (Ald. Baker, Ciccone, Fuller, Gentile, Lappin, Swiston), 2 ABSENT (Ald. Salvucci & Sangiolo)**

Clerk's Note:

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 0 NAYS, 2 ABSENT (Ald. Salvucci & Sangiolo) TO TAKE THE FOLLOWING ACTIONS:**

New Class 2 2012 Auto License

#327-11 NEWTON COLLISION, INC. d/b/a GM AUTO BODY  
64 Crafts Street  
Newtonville 02460

**LAND USE APPROVED 6-0 (Schwartz, Harney not voting)**

2012 Class 2 Renewals

#302-11 AUTO ANNEX, INC.  
249 Centre Street  
Newton Corner 02458

**LAND USE APPROVED 8-0**

#305-11 ENZO'S AUTO SALES  
10 Hawthorn Street  
Nonantum 02458

**LAND USE APPROVED 8-0**

#321-11 VELOCITY MOTORS, INC.  
14 Hawthorn Street  
Nonantum 02458  
**LAND USE APPROVED 8-0**

#316-11 PARAGON GLOBAL PARTNERS, INC.  
259 Walnut Street  
Newtonville 02460  
**LAND USE APPROVED 8-0**

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

Wednesday, January 18, 2012

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#16-12 HIS HONOR THE MAYOR requesting an appropriation in the amount of seventy-five thousand dollars (\$75,000) from Free Cash for the purpose of supplementing the Veterans' Benefits Account. [01/09/12 @ 5:21 PM]  
**FINANCE APPROVED 7-0 (Gentile not voting) on 1/23/12**  
**PROGRAMS & SERVICES APPROVED 8-0**

#371-10(2) CLERK OF THE BOARD requesting acceptance of Chapter 40, Section 8J of the Massachusetts General Laws regarding the establishment of the Commission on Disabilities.  
**PROGRAMS & SERVICES APPROVED 8-0**

**REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE**

Wednesday, January 18, 2012

#156-11 ALD. YATES requesting a report from the Massachusetts Bay Transportation Authority on the physical condition of the bridge that carries the MBTA Green Line over Route 9 near Eliot Station. [05/02/11 @ 10:51 PM]  
**PUBLIC SAFETY NO ACTION NECESSARY 8-0**

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

Wednesday, January 18, 2012

#405-11 NATIONAL GRID requesting a grant of location to install and maintain 102' ± of 4" gas main in UPLAND AVENUE from the existing 4" gas main at 193 Upland Avenue southerly to 210 Upland Avenue. (Ward 8) [11-10-11 @ 2:00 PM]  
**PUBLIC FACILITIES APPROVED 5-0 (Danberg, Gentile, Lennon not voting)**

- #149-11(3) SOVEREIGN BANK requesting the necessary approvals for the off-site road improvements at the intersection of Washington and Crafts Streets outlined in Special Permit Board Order #149-11, Condition 6A. 11/07-11 @ 2:16 PM]  
**PUBLIC FACILITIES APPROVED 6-0 (Gentile, Lennon not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #17-12 HIS HONOR THE MAYOR requesting an appropriation in the amount of one hundred fifty thousand dollars (\$150,000) from the Stormwater Reserve Account for the Webster Street Drain Replacement Project. [01/09/12 @ 5:21 PM]  
**FINANCE APPROVED 7-0 (Gentile not voting) on 01/23/12**  
**PUBLIC FACILITIES APPROVED 8-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #18-12 HIS HONOR THE MAYOR requesting authorization to borrow up to thirteen million six hundred two thousand dollars (\$13,602,000) in interest free loans from the Massachusetts Water Resources Authority (MWRA) for the purpose of funding water main improvements as outlined in the 5-year Capital Improvement Plan. [[01/09/12 @ 5:21 PM]  
**FINANCE APPROVED 7-0 (Gentile not voting) on 01/23/12**  
**PUBLIC FACILITIES APPROVED 8-0**

- #74-00(2) CLERK OF THE BOARD requesting the Board of Aldermen re-vote Docket Item #74-00 requesting an amendment to the Revised Ordinances by insertion of a new section 23-52 requiring preliminary submission of grant of location petitions to the Public Works Commissioner. The item was approved by the Board of Aldermen on February 22, 2000 but was not included in the 2007 Ordinance recodification necessitating a re-vote.  
**PUBLIC FACILITIES APPROVED 7-0 (Danberg not voting)**

**REFERRED TO FINANCE COMMITTEE**

Monday, January 23, 2012

- #21-12 HIS HONOR THE MAYOR requesting authorization in accordance with MGL chapter 30B, Sec. 12 to permit the Newton Public Schools to solicit bids and enter into a 5-year contract for school bus transportation. [01-13-12 @ 11:38 AM]  
**FINANCE APPROVED 8-0**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #16-12 HIS HONOR THE MAYOR requesting an appropriation in the amount of seventy-five thousand dollars (\$75,000) from Free Cash for the purpose of supplementing the Veterans' Benefits Account. [01/09/12 @ 5:21 PM]  
**PROG & SERV APPROVED 8-0 on 01/18/12**  
**FINANCE APPROVED 7-0 (Gentile not voting)**

- #38-10(4) HIS HONOR THE MAYOR requesting an appropriation in the amount of forty-four thousand six hundred twenty-four dollars (\$44,624) from the Capital Stabilization

Fund – Energy Conservation to supplement the fund for the envelope improvements at the Lower Falls Community Center. [01/10/12 @ 5:08 PM]  
**FINANCE APPROVED SUBJECT TO SECOND CALL 7-0 (Gentile not voting)**

**MOTION TO SUSPEND THE RULES TO ALLOW THE VICE CHAIR OF THE COMMITTEE TO POLL THE COMMITTEE WAS APPROVED BY VOICE VOTE**

**FINANCE APPROVED 7-0**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#17-12 HIS HONOR THE MAYOR requesting an appropriation in the amount of one hundred fifty thousand dollars (\$150,000) from the Stormwater Reserve Account for the Webster Street Drain Replacement Project. [01/09/12 @ 5:21 PM]  
**PUBLIC FACILITIES APPROVED 8-0 on 01/18/12**  
**FINANCE APPROVED 7-0 (Gentile not voting)**

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#18-12 HIS HONOR THE MAYOR requesting authorization to borrow up to thirteen million six hundred two thousand dollars (\$13,602,000) in interest free loans from the Massachusetts Water Resources Authority (MWRA) for the purpose of funding water main improvements as outlined in the 5-year Capital Improvement Plan. [[01/09/12 @5:21 PM]  
**PUBLIC FACILITIES APPROVED 8-0 on 01/18/12**  
**FINANCE APPROVED 7-0 (Gentile not voting)**

#15-12 HIS HONOR THE MAYOR requesting authorization to increase the spending level of the Fiscal Year 2012 Sidewalk/Curb Betterment Revolving Account from \$200,000 to \$500,000. (NOTE: Spending cannot exceed collected revenue  
**FINANCE APPROVED 5-1-1 (Salvucci opposed, Ciccone abstaining, Gentile not voting)**

#14-12 COMMISSIONER OF PUBLIC WORKS recommending that abatements for sewer assessments for the following properties be approved:

**BOARD ORDER #110-03(2)**

<b>S-B-L</b>	<b>OWNER/ADDRESS</b>	<b>BK./PG.</b>	<b>AMT</b>
81-1-11	Thomas F. & Louise L. Weiner 580 Dedham St	27204/150	\$3,367.25
81-1-12	Denning E. Dahl & Debra J. Small 572 Dedham St	30372/526	\$3,278.06
81-1-13	Alan C. & Gail E. Epstein 564 Dedham St	12961/707	\$3,184.42
81-1-14	Lawrence T. Perera Kurt F. Somerville, Trs. 146 Beverley Rd Trust 556 Dedham St	30689/509	\$3,384.57

81-10-7 Richard S. & Lynn H. Raisman 33289/239 \$99.98  
Raisman Realty Trust  
8 Meadowbrook Rd

**Board Order #111-03(2)**

<b>S-B-L</b>	<b>OWNER/ADDRESS</b>	<b>BK./PG.</b>	<b>AMT</b>
43-28-13	John M. & Karen E. Reilly 191 Grove St	28841/102	\$80.00

**Board Order #58-11(2)**

<b>S-B-L</b>	<b>OWNER/ADDRESS</b>	<b>BK./PG.</b>	<b>AMT</b>
54-30-08	Anne Sullivan 3 Bowdoin Street	13957-197	\$3,159.75
54-30-14	Milton & Henrica Bordwin 87 Hillside Road	10738/121	\$2,097.25

**FINANCE APPROVED 7-0 (Gentile not voting)****REFERRED TO REAL PROPERTY REUSE COMMITTEE**

Thursday, January 19, 2012

Present: Ald. Albright (Chairman), Ald. Merrill, Swiston, Laredo, Gentile, Danberg, Crossley, and Fischman; also present: Ald. Yates, Sangiolo, Blazar, and Schwartz

#19-12 ALD. BLAZAR, DANBERG, SCHWARTZ requesting consideration of potential future use of the municipal parking lot on Cypress Street in Newton Centre. [01-09-12 @2:11PM]

**REAL PROPERTY NO ACTION NECESSARY 7-0 (Gentile not voting)**

#384-11 COMMISSIONER OF PARKS & RECREATION declaring surplus on October 19, 2011 the building and property at 70 Crescent Street with the exception of the piece designated as the Reverend Ford Playground and subsequently the DIRECTOR OF PLANNING & DEVELOPMENT on October 31, 2011 recommending to the Clerk of the Board that after soliciting all city departments the property be declared unnecessary for municipal purposes pursuant to Ordinance Section 2-7.

**REAL PROPERTY PROPERTY DECLARED SURPLUS 8-0**

#160-09 DIRECTOR OF PLANNING & DEVELOPMENT requesting discussion of potential redevelopment of a block of land bounded by Willow, Centre and Lyman Streets, to include the existing 60,850 sq. ft. Fire Department headquarters and Station #3 site.

**REAL PROPERTY NO ACTION NECESSARY 7-0 (Gentile not voting)**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 0 NAYS, 2 ABSENT (Ald. Salvucci & Sangiolo), 1 EXCUSED (Ald. Ciccone) TO TAKE THE FOLLOWING ACTIONS:**

#301-11           CICCONE MOTORS  
75 Adams Street  
Newtonville 02458  
**LAND USE APPROVED 8-0**

#326-11           TODY'S SERVICES, INC. (Class 2 and 3)  
1362 Washington Street  
West Newton 02465  
**LAND USE APPROVED 8-0**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 0 NAYS, 2 ABSENT (Ald. Salvucci & Sangiolo), 1 EXCUSED (Ald. Schwartz) TO TAKE THE FOLLOWING ACTIONS:**

**REFERRED TO LAND USE COMMITTEE**

Tuesday, January 24, 2012

#282-11(2)       RICHARD D. SEWALL petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow four attached dwellings in two buildings; to waive the side setback requirement; to allow a lot coverage of more than 25%; and to waive the dimensional requirements for parking stalls at 87-89 WABAN STREET, Ward 1, Newton Corner, on land known as SBL 12, 4, 27, containing approximately 20,082 sq. ft. of land in a district zoned Multi Residence 1. Ref: Sec 30-24, 30-23, 30-(9)(b)(5), 30-9(b)(5)b 30-19(g)(2) and (m)of the City of Newton Rev Zoning Ord, 2007.  
**LAND USE APPROVED 8-0**

**THE BOARD VOTED TO ACCEPT THE FOLLOWING LATE FILED ITEM TO THE DOCKET BY VOICE VOTE. IT WAS ASSIGNED A PUBLIC HEARING FOR FEBRUARY 22, 2012.**

*The following item was filed after the close of the docket and requires a suspension of the Rules to be referred to Committee and to be assigned for public hearing on February 22, 2012:*

**REFERRED TO PUBLIC FACILITIES COMMITTEE**

#41-12           NATIONAL GRID petitioning for a grant of location to install and maintain approximately 125 feet of gas main easterly from the existing 4" gas main at the intersection of Broken Tree Road to provide service to 131 Old Farm Road.