

CITY OF NEWTON

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, June 4, 2012

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

Absent: Ald. Albright, Johnson, Merrill and Lennon

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 20 YEAS, 4 ABSENT (Ald. Albright, Johnson, Merrill and Lennon) TO TAKE THE FOLLOWING ACTIONS:

REFERRED TO LAND USE COMMITTEE

Tuesday, May 22, 2012

#93-12 TIMOTHY ADLER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a new single-family dwelling with a Floor Area Ratio of .45 where .39 is allowed by right at 35 NORWOOD AVENUE, Ward 6, Newton Centre, on land known as SBL 62, 1, 28, containing approximately 9,573 sq. ft. of land in a district zoned Single Residence 2. Ref: 30-24, 30-23, 30-15(u)(2) of the City of Newton Rev Zoning Ord, 2007.

APPROVED 5-1 (Hess-Mahan)

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

MOTION IN COMMITTEE TO CHANGE VOTE TO HOLD WAS APPROVED

LAND USE HELD 6-0

Clerk's Note: The Chair of the Committee asked the Committee to change its vote to hold as the petitioner has requested to meet with the Committee again to present a modified proposal. The Committee will be meeting with the petitioner on June 5, 2012.

#279-98(3) SVETLANA OSTROVSKAYA petition to AMEND SPECIAL PERMIT/SITE PLAN APPROVAL for an EXTENSION of a NONCONFORMING STRUCTURE #279-98(2), granted on 05/16/11, to construct an enclosed connector from a new garage to the existing nonconforming single-family dwelling ~~and for two retaining walls greater than 4 feet in the front setback~~ at 14 ROLAND STREET, Ward 8, on land known as SBL 83, 33, 6, containing approx.

14,819 sq. ft. of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-21(b), ~~30-5(b)(4)~~ of the City of Newton Rev Zoning Ord, 2007.

**LAND USE APPROVED 6-0; RELIEF FOR RETAINING WALLS
WITHDRAWN WITHOUT PREJUDICE 5-0 (Crossley not voting)**

#82-12

GEOFFREY & ROBIN PEDDER petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for an EXTENSION OF A NONCONFORMING STRUCTURE to add a third story above a portion of an existing single-family dwelling, of which a portion counts as a basement and a portion counts as a first floor, increasing the Floor Area Ratio from .29 to .36, at 112 EXETER STREET, Ward 3, West Newton, on land known as SBL 32, 28, 21, containing approximately 16,080 sq. ft. of land in a district zoned Single Residence 1. Ref: Sec 30-24, 30-23, 30-15 Table 1 of the City of Newton Rev Zoning Ord, 2007.

LAND USE APPROVED 6-0

REFERRED TO ZONING & PLANNING COMMITTEE

Tuesday, May 29, 2012

#63-12

ECONOMIC DEVELOPMENT COMMISSION submitting its annual report of activities undertaken in 2011 and recommendations for improving the economic condition and development of the city. [03-09-12 @3:14PM]

ZONING & PLANNING NO ACTION NECESSARY 4-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, May 23, 2012

REFERRED TO PROG & SERV, PUBLIC FACIL. AND FINANCE COMMITTEES

#367-10

HIS HONOR THE MAYOR requesting authorization to appropriate an amount not to exceed five million dollars (\$5,000,000) from bonded indebtedness for the following:

(B) installation of up to six modular classrooms at five elementary schools as well as the addition of permanent classrooms and renovations to the core of F.A.

Day Middle School. [11/29/10 @ 3:23 PM]

(A) \$75,000 for site plan work for 1 modular at Horace Mann, 2 at Zervas, and 1 at Burr was approved on December 20, 2010.

(B1) \$923,375 for installation of 4 modulares was approved on July 11, 2011

(B2A) \$86,545 for additional expenses related to the construction and installation of modular was approved on November 21, 2011.

(B2B) \$102,117 for design of sprinkler systems at three elementary schools was approved on November 21, 2011.

(B2C) Six hundred forty-three thousand five hundred dollars (\$643,500) of the remaining \$3,812,963 for the design and other related expenses associated with the building renovations to F.A. Day Middle School was approved on December 19, 2011.

(B2D) One million four hundred seventy-four thousand one hundred ninety-four dollars (\$1,474,194) of the remaining \$3,169,463 for the purpose of funding

construction, construction administration and related expenses for the sprinkler system installations at the Burr, Zervas, and Horace-Mann Elementary Schools to be voted 03/05/12.

#367-10(B2) – \$ 1,695,269 (remaining balance) for renovations to the core of F.A. Day Middle School and sprinkler systems.

FINANCE VOTED NO ACTION NECESSARY 7-0 ON 04/30/12

PUBLIC FACILITIES VOTED NO ACTION NECESSARY 6-0 ON 4/18/2012

PROGRAMS & SERVICES NO ACTION NECESSARY 6-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#103-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of fifty thousand dollars (\$50,000) from Free Cash and two hundred fifty-eight thousand dollars (\$258,000) from receipts reserved for the purpose of purchasing the necessary capital equipment to establish a 3-man tree maintenance crew. [04-09-12 @ 2:48 PM]

FINANCE APPROVED 6-0 on 05/29/12

PROGRAMS & SERVICES APPROVED 6-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#132-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred twelve thousand six hundred sixty-six dollars (\$212,666) from 2011-2012 E-Rate Reimbursements Funds for the purpose of school technology purchases. [04/30/12 @ 5:08 PM]

FINANCE APPROVED 6-0 on 05/29/12

PROGRAMS & SERVICES APPROVED 5-0-1 (Linsky abstaining)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, May 23, 2012

#78-12(2) ALD. YATES, FULLER, HARNEY & KALIS, offering a *RESOLUTION* to His Honor the Mayor requesting to offer owners of private properties in the City the services of the Newton Police Department in enforcing the proper use of the handicap parking spaces that they are obliged to provide under Federal and State law. [04/19/12 @ 12:12 PM]

PUBLIC SAFETY NO ACTION NECESSARY 7-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, May 23, 2012

Appointment by His Honor the Mayor

#150-12 JAMES POWERS, 11 Star Road, West Newton, appointed as a member of the DESIGNER SELECTION COMMITTEE for a term of office to expire on December 31, 2013. (60 days 7/21/12) [04-30-12 @ 5:07 PM]

PUBLIC FACILITIES APPROVED 4-0 (Gentile, Laredo, Lennon not voting)

Appointment by His Honor the Mayor

- #151-12 BENJAMIN TUCKER, 12 Nathan Road, Newton Centre, appointed as a member of the DESIGNER SELECTION COMMITTEE for a term of office to expire on December 31, 2013. (60 days 7/21/12) [04-30-12 @ 5:07 PM]
PUBLIC FACILITIES APPROVED 4-0 (Gentile, Laredo, Lennon not voting)
- #152-12 ALD. RICE DANBERG, BLAZER & SCHWARTZ requesting the City of Newton name the expanded sidewalk in front of 4 Hartford Street at the corner of Lincoln Street in Newton Highlands as *Rodney Barker Square* to recognize Rodney Barker's decades of public service to Newton Highlands. [05/14/12 @ 3:22 PM]
PUBLIC FACILITIES APPROVED 7-0
- #153-12 COMMISSIONER OF PUBLIC WORKS requesting that the Board of Aldermen approve the City's acquisition of a public way easement from Boston College. The parcel of land is 12.1' x 8.2' or 100 square feet in area and will be used to place a traffic signal. [05/14/12 @ 4:05 PM]
PUBLIC FACILITIES APPROVED 7-0

A MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF PUBLIC FACILITIES TO POLL HIS COMMITTEE TO CHANGE THE FUNDING SOURCE ON THE FOLLOWING THREE ITEMS TO MATCH THE VOTE OF FINANCE WAS APPROVED BY VOICE VOTE.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #112-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from bonded indebtedness for the purpose of funding the design and construction of mechanical upgrades at the Burr Elementary School. [04-09-12 @ 7:04 PM]
FINANCE APPROVED AS AMENDED 6-0 on 05/29/12
PUBLIC FACILITIES APPROVED 6-0 (Salvucci not voting)
PUBLIC FACILITIES APPROVED AS AMENDED 5-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #111-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of sixty thousand dollars (\$60,000) from bonded indebtedness for the purpose of funding the repair of masonry and related surfaces at the Bowen Elementary School. [04-09-12 @ 3:40 PM]
FINANCE APPROVED AS AMENDED 5-0 (Linsky not voting) on 05/29/12
PUBLIC FACILITIES APPROVED 6-0 (Salvucci not voting)
PUBLIC FACILITIES APPROVED AS AMENDED 5-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #110-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from bonded indebtedness for the purpose of upgrading mechanical systems at Lincoln-Eliot elementary School.
FINANCE APPROVED AS AMENDED 5-0 (Linsky not voting) on 05/29/12
PUBLIC FACILITIES APPROVED 7-0
PUBLIC FACILITIES APPROVED AS AMENDED 5-0

Clerk's Note: The Public Facilities Committee amended its vote on the previous three items to change the funding source from bonding to the Capital Stabilization Fund. This change was to match the vote of the Finance Committee who approved the request with the funding source as Capital Stabilization at the request of the Mayor.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #161-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred forty-eight thousand four hundred eighty one dollars (\$148,481) from the Energy Stabilization Account to fund the energy audit conducted by NORESKO.
 [05/14/12 @4:05 PM]
FINANCE APPROVED 6-0 on 05/29/12
PUBLIC FACILITIES APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #109-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of ninety thousand dollars (\$90,000) from bonded indebtedness for the purpose of repairing and replacing windows at Fire Station #4. [04-09-12 @ 3:40]
FINANCE APPROVED on 05/29/12
PUBLIC FACILITIES APPROVED 7-0

REFERRED TO FINANCE COMMITTEE

Tuesday, May 29, 2012

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #132-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred twelve thousand six hundred sixty-six dollars (\$212,666) from 2011-2012 E-Rate Reimbursements Funds for the purpose of school technology purchases. [04/30/12 @ 5:08 PM]
PROG & SERV APPROVED 5-0-1 (Linsky abstaining) on 05/23/12
FINANCE APPROVED 6-0
- #155-12 HIS HONOR THE MAYOR requesting authorization to transfer and appropriate the sum of eleven thousand two hundred seventy-seven dollars (\$11,277) from Fire Prevention Fines for the enforcement, training, and education of fire prevention officers in accordance with Massachusetts General Law Chapter 148A, Section 5. [05/14/12 @4:06 PM]
FINANCE APPROVED 6-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #103-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of fifty thousand dollars (\$50,000) from Free Cash and two hundred fifty-eight thousand dollars (\$258,000) from receipts reserved for the purpose of purchasing the necessary capital equipment to establish a 3-man tree maintenance crew. [04-09-12 @ 2:48 PM]
PROG & SERV APPROVED 6-0 on 05/23/12
FINANCE APPROVED 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #109-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of ninety thousand dollars (\$90,000) from bonded indebtedness for the purpose of repairing and replacing windows at Fire Station #4. [04-09-12 @ 3:40]
PUBLIC FACILITIES APPROVED 7-0 on 05/23/12
FINANCE APPROVED 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #161-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred forty-eight thousand four hundred eighty one dollars (\$148,481) from the Energy Stabilization Account to fund the energy audit conducted by NORESKO. [05/14/12 @4:05 PM]
PUBLIC FACILITIES APPROVED 7-0 on 05/23/12
FINANCE APPROVED 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #112-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from bonded indebtedness for the purpose of funding the design and construction of mechanical upgrades at the Burr Elementary School. [04-09-12 @ 7:04 PM]
PUBLIC FACILITIES APPROVED 6-0 (Salvucci not voting) on 05/23/12
FINANCE APPROVED AS AMENDED 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #111-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of sixty thousand dollars (\$60,000) from bonded indebtedness for the purpose of funding the repair of masonry and related surfaces at the Bowen Elementary School. [04-09-12 @ 3:40 PM]
PUBLIC FACILITIES APPROVED 6-0 (Salvucci not voting) on 05/23/12
APPROVED AS AMENDED 5-0 (Linsky not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #110-12 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of two hundred fifty thousand dollars (\$250,000) from bonded indebtedness for the purpose of upgrading mechanical systems at Lincoln-Eliot Elementary School.
PUBLIC FACILITIES APPROVED 6-0 (Salvucci not voting) on 05/23/12
APPROVED AS AMENDED 5-0 (Linsky not voting)

- #156-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of twenty-seven thousand forty-eight dollars (\$27,048) from the FY12 FEMA Storm Reimbursements to Conservation Land Maintenance. [05/14/12 @4:05 PM]
FINANCE APPROVED 5-0 (Linsky not voting)
- #157-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one million dollars (\$1,000,000) from the FY 2012 Reserve for Snow/Ice to the “Rainy Day” Stabilization Fund. [05/14/12 @4:05 PM]
FINANCE APPROVED 5-0 (Linsky not voting)
- #158-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of three thousand three hundred two dollars (\$3,302) from State MEMA Grant Reimbursements and five hundred thousand dollars (\$500,000) from Federal FEMA Reimbursements to a new Inclement Weather Reserve in the City’s Receipts Reserved for Appropriation Fund. [05/14/12 @4:05 PM]
FINANCE APPROVED 5-0 (Linsky not voting)
- #159-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of forty thousand one hundred twenty-six dollars and seventy-five cents (\$40,126.75) from Wage Reserve to Bond/Note Costs for the General Fund portion of the costs incurred as a result of the April 2012 Bond Sale. [05/14/12 @4:05 PM]
FINANCE APPROVED 5-0 (Linsky not voting)
- #154-12 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one thousand four hundred ninety dollars and eight cents (\$1,490.08) from the B Street Bicycle Rack Receipts Reserved for Appropriation for the purpose of buying two bicycle racks for the Underwood Elementary School. [05/14/12 @ 4:06 PM]
A FINANCE PPROVED 5-0 (Linsky not voting)

A MOTION TO ACCEPT THE FOLLOWING LATE FILED ITEMS TO THE DOCKET AND REFER THEM TO COMMITTEE WAS APPROVED BY VOICE VOTE:

REFERRED TO REAL PROPERTY REUSE COMMITTEE

- #287-11(2) PRESIDENT LENNON & HIS HONOR THE MAYOR appointing the following members to a Joint Advisory Planning Group to make recommendations on the future use of the land and building currently housing the Health Department at 1294 Centre Street, Newton Centre, Ward 6:

Aldermanic appointees:

Warren Brown	275 Grove Street, Auburndale
Peter Lew	61 West Pine Street, Auburndale
George Mansfield	312 Lake Avenue, Newton Highlands
John Sisson	45 Greenlawn Avenue, Newton Centre
Maurya Sullivan	19 Brentwood Avenue, Newton Centre
Beth Wilkinson	14 Trowbridge Street, Newton Centre

Carolyn Wong 20 Norwood Avenue, Newton Centre

Mayoral appointees:

Don Tellalian 19 Crystal Street, Newton Centre
 Ben Tucker 12 Nathan Road, Newton Centre
 Sarah Luria 38 Garland Road, Newton Centre
 Loren Balsam 799 Commonwealth Ave, Newton Centre
 Nino Micozzi 14 Huntington Road, Newton
 Norman Sirk 94 Herrick Road, Newton Centre
 Trudy Reilly 21 Bradford Road, Newton Highlands

#384-11(2) PRESIDENT LENNON & HIS HONOR THE MAYOR appointing the following members to a Joint Advisory Planning Group to make recommendations on the future use of the land and building at 70 Crescent Street, which formerly housed the Parks & Recreation Department, Auburndale, Ward 3:

Aldermanic appointees

Angelo Conti 16 Robinhood Street, Auburndale
 Edward Hadro 60 Robinhood Street, Auburndale C
 Catherine Mazzola 79 Crescent Street, Auburndale
 Richard Sewall 83 Aspin Avenue, Auburndale
 David Snieckus 99 Crescent Street, Auburndale
 Thomas Turner 60 Wyoming Road, Newtonville

Mayoral appointees

Mark Armstrong 61 Vaughn Avenue, Newton Highlands
 Andrea Kelley 28 Putnam Street, West Newton
 Eurnice Kim 147A Crafts Street, Newtonville
 Jim Miller 67 Bourne Street, Auburndale
 James Robertson 30 Trowbridge Avenue, Newtonville
 Lawrence Schwirian 7 Williston Road, Auburndale

A MOTION TO SUSPEND THE RULES TO ALLOW THE RECODIFICATION COMMITTEE TO REPORT ITS WORK ON DOCKET ITEM #173-12 WAS APPROVED BY VOICE VOTE

REFERRED TO AD HOC COMMITTEE ON RE-CODIFICATION

#173-12 AD HOC COMMITTEE on RE-CODIFICATION transmitting for Aldermanic approval and acceptance the re-codified text of the City of Newton Revised Ordinances, 2012.

A MOTION TO LAY THE REPORT ON THE TABLE UNTIL JUNE 18, 2012 WAS APPROVED BY VOICE VOTE

Clerk's Note: The Chair of the Recodification Committee presented the report of the committee and requested that it be laid on the table until the June 18, 2012 to give Board members time to review the document and have any questions that they may have answered before voting on the recodification.

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:

Public hearing assigned for June 20, 2012:

#168-12 NSTAR ELECTRIC petitioning for a grant of location to install one new manhole and total of 932'± of conduit in the following locations in COLLEGE ROAD:

- Install 205'± of conduit in a northeasterly direction from existing Manhole 22637 located 240' southwest of Quincy Road .
- Install 727'± of conduit in a northeasterly direction beginning at a point 75' northeast of Quincy Road.
- Install one new manhole in College Road to be located in front of 72 College Road. [05/21/12 @ 3:30 PM]

Public hearing assigned for June 20, 2012:

#169-12 NATIONAL GRID petitioning for a grant of location to install and maintain 100'± of 4" gas main in CARLSON AVENUE, from the existing 4" gas main at House #20 southerly to Dorothy Road and 300'± of 4" gas main in DOROTHY ROAD from the proposed 4" gas main at Carlson Avenue to 34 Dorothy Road. [05/17/12 @ 1:19 PM]

Public Hearing assigned for July 10, 2012:

#162-12 G AND B REALTY TRUST, JOHN M. O'HARA & KARL J. O'HARA, TRUSTEES petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND a NON-CONFORMING STRUCTURE in the front setback; to increase the number of seats from 90 to 120; and, to waive the 7 additional required parking stalls for an existing restaurant at 1181-1189 WALNUT STREET, Ward 6, Newton Highlands, on land known as SBL 52, 36, 1, in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-21(b), 30-19(c) and (d)(13) and 30-19(m), 30-11(d)(9), of the City of Newton Rev Zoning Ord, 2007 and Special permit #188-94).