

CITY OF NEWTON
IN BOARD OF ALDERMEN
BOARD ACTIONS

Monday, September 6, 2011

Present: Ald. Albright, Baker, Blazar, Ciccone, Crossley, Danberg, Fischman, Freedman, Fuller, Gentile, Harney, Hess-Mahan, Lappin, Linsky, Merrill, Rice, Salvucci, Sangiolo, Schnipper, Shapiro, Swiston and Yates

Absent: Ald. Johnson and Lennon

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

- #208-11 HIS HONOR THE MAYOR requesting a transfer from departmental payroll and health benefit accounts to various departmental payroll accounts in order to fund the cost items set forth in the labor contract agreement with the Newton Police Association (NPA) for FY12 through FY14. [07-05-11 @ 2:55 PM]
FINANCE APPROVED 6-0-1 (Fuller abstaining, Linsky not voting) on AUGUST 1 POSTPONED ON AUGUST 8 TO DATE CERTAIN OF SEPTEMBER 6, 2011
APPROVED 21 YEAS, 1 NAY (Ald. Baker), 2 ABSENT (Ald. Johnson & Lennon)
- #207-11 HIS HONOR THE MAYOR requesting a transfer from departmental payroll and health benefit accounts to various departmental payroll accounts in order to fund the cost items set forth in the labor contract agreement with the Newton Municipal Employee's Association (NMEA) for FY12 through FY14. [07-05-11 @ 2:55 PM]
FINANCE APPROVED 7-0 (Linsky not voting) on AUGUST 1. POSTPONED ON AUGUST 8 TO DATE CERTAIN OF SEPTEMBER 6, 2011
APPROVED 21 YEAS, 1 NAY (Ald. Baker), 2 ABSENT (Ald. Johnson & Lennon)
- #206-11 HIS HONOR THE MAYOR requesting a transfer from the Wage Reserve Account set aside in the Executive Department's FY12 Budget and various health benefit accounts to various departmental payroll accounts for the purpose of funding the costs associated with compensation and health care plan design changes for Hay Grade employees. [07-05-11 @ 2:55 PM]
FINANCE APPROVED 7-0 (Linsky not voting) on AUGUST 1 POSTPONED ON AUGUST 8 TO DATE CERTAIN OF SEPTEMBER 6, 2011
APPROVED 21 YEAS, 1 NAY (Ald. Baker), 2 ABSENT (Ald. Johnson & Lennon)

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

THE CHAIR OF THE FINANCE COMMITTEE REQUESTED A SUSPENSION OF THE RULES TO ACCEPT TO THE DOCKET AND REFER THE FOLLOWING LATE FILED ITEM WHICH WAS APPROVED BY VOICE VOTE

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#263-11 HIS HONOR THE MAYOR requesting authorization to requesting authorization to appropriate and expend one hundred thousand dollars (\$100,000) from FY12 Budget Reserve for the purpose of funding tree emergency expenses in the Parks and Recreation Department as a result of the recent tropical storm. [08/30/11@ 2:27 PM]

ALD. SCHNIPPER REQUESTED THAT THE FOLLOWING DOCKET ITEM, WHICH WAS REFERRED TO THE FINANCE COMMITTEE AT THE AUGUST 8, 2011 MEETING, BE JOINTLY REFERRED TO THE PUBLIC FACILITIES AND FINANCE COMMITTEES.

#38-10(3) HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred four thousand eight hundred twenty six dollars (\$104,826) from the Energy Improvement Capital Stabilization Fund to provide additional funding for costs associated with building envelope improvements at the Newton Lower Falls Community Center. [08/01/11 @ 2:23 PM]

ALD. BAKER REQUESTED THAT THE FOLLOWING TWO DOCKET ITEMS, WHICH WERE REFERRED TO THE PUBLIC SAFETY COMMITTEE, BE JOINTLY REFERRED TO THE PUBLIC SAFETY AND PUBLIC FACILITIES COMMITTEES.

#255-11 ALD. BAKER, GENTILE, SCHNIPPER, CICCONE, FULLER, SHAPIRO requesting discussion of preparation for, response during, and follow up after, Tropical Storm Irene by the City of Newton, including co-ordination by the Mayor's office and the various City Departments involved. [08/29/11 @ 2:09 PM]

#256-11 ALD. SHAPIRO, CICCONE, BAKER requesting a discussion how the City uses information systems as well as people to collect and process information from residents impacted by a storm or other emergency event, and ways to establish or improve the manner in which triage is performed and prioritized to increase public safety with the appropriate response. [08/29/11 @ 9:25 PM]

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:

Public hearing assigned for September 21, 2011

#257-11 NSTAR ELECTRIC petitioning for a grant of location to install 37' ± of conduit in PINE STREET at Pole 354/3 opposite Evergreen Circle in a southeasterly direction. (Ward 4) [08/22/11 @ 11:22 AM]

Public hearing assigned for September 21, 2011

#258-11 NATIONAL GRID petitioning for a grant of location to install and maintain 95' ± of 6" gas main in WITHINGTON ROAD from the existing 6" gas main at #122 Withington Road southerly to #137 Withington Road for new gas service. (Ward 2) 07/31/11 @ 12:50 PM]

Public hearing assigned for September 21, 2011:

#259-11 NextG NETWORKS OF NY, INC. petitioning for a grant of location to install 295' ± of underground conduit in SUMNER STREET on the easterly side approximately 58' from Alden Street in a southerly direction to the intersection of Rice Street and attach aerial fiber and related equipment to existing utility poles at the following locations:

Aerial Locations

Centre Street - 2,140' of aerial fiber attachment to exiting poles
Alden Street - 485' of aerial fiber attachment to existing poles
Sumner Street - 2,460' of aerial fiber attachment to existing poles
Ward Street - 1,050' of aerial fiber attachment to existing poles
Westbourne Road – 790' of aerial fiber attachment to existing poles
Everett Street 935' of aerial fiber attachment to existing poles
Dalton Road – 435' of aerial fiber attachment to existing poles
Grant Avenue – 530' of aerial fiber attachment to existing poles
Beacon Street – 1,925' of aerial fiber attachment to existing poles
Langley Road – 530' of aerial fiber attachment to existing poles
Braeland Avenue - 1,095' of aerial fiber attachment to existing poles
Cypress Street – 410' of aerial fiber attachment to existing poles
[07/28/11 @ 3:36 PM]

Public Hearing assigned for September 21, 2011

#220-11 DEBORAH FOGEL et al. filing with the City Clerk on July 26, 2011 a Group Petition with 52 qualified voter signatures, pursuant to Sec. 10-2 of the City Charter, requesting the Board of Aldermen hold a public hearing “to allow regulated but unsupervised swimming at Cronin’s Cove on Crystal Lake.”
NB: Board action shall be taken not later than three months from the date the petition was filed with the City Clerk.

Public hearing re-assigned for September 26, 2011:

#94-11(2) ALD. HESS-MAHAN proposing amendments to Chapter 30, Section 30-1, clarifying that an accessory apartment is an accessory and subordinate use to the principal dwelling on a lot; to Sections 30-8 and 30-9 clarifying that no accessory unit may be held in separate ownership from the principal dwelling and to require that any special permit for an accessory apartment automatically include a condition that the two dwellings may not be held in separate ownership; and to Section 30-22, requiring that a RAAP report Certificate of Occupancy include language clarifying that the accessory apartment must be held in common ownership with the principal dwelling unit and that the owner must dwell in one of the two units.

Public hearing re-assigned for September 26, 2011

#26-11(2) PLANNING AND DEVELOPMENT BOARD submitting in accordance with Section 7-2 of the City Charter an amendment to the 2007 Newton Comprehensive Plan to create a new Mixed Use Centers Element to be numbered section 3.A in the Comprehensive Plan and to include a vision and guidance for the development or redevelopment of large mixed-use centers.

Public Hearing assigned for October 11, 2011

#148-11(2) CONSTANTINE TALEAS, TRUSTEE OF the BORDER TRUST 06 u/d/t dated May 1, 2006 and CONSTANTINE TALEAS, TRUSTTEE of the ELM TRUST 06 u/d/t dated November 20, 1996 petition for a Special Permit/Site Plan Approval and to extend a Non-Conforming Structure to combine three legally nonconforming lots into one conforming lot and to extend the legally nonconforming structure at 115-119 ELM STREET by attaching a 3-story mixed-use building with commercial space on the first floor and 4 dwelling units on the second and third floors, which will increase both the Floor Area Ratio, height, and number of stories, and to waive 2 parking stalls and certain dimensional parking, screening, and lighting requirements at 8 BORDER STREET and 111 and 115-119 ELM STREET, Ward 3, West Newton, on land known as SBL 29, 30, 31, containing ≈11, 044 sq. ft. of land in a district zoned Business 1. Ref: Sec 30-24, 30-23, 30-21(b), 30-19(c), (d), (h)(3), (i)(l), (j)(l)a), and (m), and 30-15 Table 3 of the City of Newton Rev Zoning Ord, 2007.

Public Hearing assigned for October 11, 2011

#248-11 MARK SHOHAM petition for a Special Permit/Site Plan Approval to legalize an existing accessory apartment with associated landscaping/lighting/parking waivers at 308 HOMER STREET, Ward 6, on land known as SBL 64, 7, 33, containing ≈14, 881 sq. ft. of land in a district zoned Single Residence 2. Ref: Sec 3-24, 30-23, 30-8(d)(2), 30-19(m) of the City of Newton Rev Zoning Ord, 2007.