

REPORTS DOCKET

May 5: Programs&Services; Public Safety&Transportation; Public Facilities Continued
May 10: Finance; Zoning & Planning Page 116
May 11: Land Use

Monday, May 3, 2010
7:45 PM, Newton City Hall
To be reported on
Monday, May 17, 2010

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO LAND USE COMMITTEE

Tuesday, May 11, 2010

Present: Ald. Hess-Mahan (Chairman), Ald. Merrill, Schnipper, Fischman,
Albright, Harney, Blazar, and Crossley

A public hearing was held on the following item:

- #85-10 SIMON & MARLA ORLSBERG petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a dormer wider than 50% of the exterior wall below and a waiver to allow side walls of a dormer less than 3' from vertical edge of building end wall in order to convert an attic into bedrooms and a bathroom in an existing single-family dwelling at 47 SHELDON ROAD, Ward 8, Newton Centre, on land known as Sec 81, Blk 39, Lot 7, containing approx 7,920 sf of land in a district zoned SINGLE RESIDENCE 3. Ref: Sec 30-24, 30-23, 30-15(t)(a), 30-15(t)(c) of the City of Newton Rev Zoning Ord, 2007.
HEARING CLOSED; ITEM APPROVED 8-0
- #84-10 WABAN IMPROVEMENT SOCIETY requesting a temporary license pursuant to Sec 30-6(k) of the City of Newton Ordinances to hold its sixth annual WABAN VILLAGE DAY on Sunday, May 23, 2010.
APPROVED 8-0
- #44-10 SIGN DESIGN/GPH WEST NEWTON, LLC. petition for a SPECIAL PERMIT/SITE PLAN APPROVAL for a free-standing sign at the Golden Living Center at 25 ARMORY STREET, Ward 3, WEST NEWTON, on land known as Sec 31, Blk 7, Lot 23, containing approx 60,726 sf of land in a district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-20(f)(1) and (9) of the City of Newton Rev Zoning Ord, 2007 and special permit nos. 41-67, 264-68, and 16-90.
APPROVED 7-0 (Hess-Mahan recused)

- #44-10(2) AGREEMENT TO AN EXTENSION OF TIME IN WHICH TO ACT on petition #44-10 SIGN DESIGN/GPH WEST NEWTON, LLC. request for a SPECIAL PERMIT/SITE PLAN APPROVAL for a free-standing sign at the Golden Living Center at 25 ARMORY STREET, Ward 3, WEST NEWTON; said EXTENSION will run from June 7, 2010 to June 30, 2010.
APPROVED 7-0 (Hess-Mahan recused)

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, May 10, 2010

Present: Ald. Johnson (Chairman), Baker, Lappin, Shapiro, Yates, Lennon, Swiston and Sangiolo; also present: Ald. Hess-Mahan, Crossley and Merrill

Appointment by His Honor the Mayor

- #123-10 CHRISTOPHER STEELE, 189 Carlton Road, Waban, appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire on May 3, 2013. (60 days 7/2/10) [04/13/10 @ 7:08 PM]
APPROVED 8-0

- #93-10 ALD. JOHNSON AND SANGIOLO requesting revision of **Section 30-27** of the City of Newton Ordinances governing membership of the Zoning Board of Appeals by providing selection criteria guidance and process so that the level of expertise in related areas, or the equivalent combination of experience and/or education is present in order to enhance the ability of the Board to increase its level of service to Newton. [03/26/10 @ 12:31 PM]
HELD 8-0

- #92-10 ALD. JOHNSON AND SANGIOLO requesting revision of **Section 22-3(a)** of the City of Newton Ordinances governing membership of the Planning Board by providing selection criteria guidance and process so that the level of expertise in related areas, or the equivalent combination of experience and/or education is present in order to enhance the ability of the Board to increase its level of service to Newton. [03/26/10 @ 12:29 PM]
HELD 8-0

REFERRED TO PROGRAMS & SERVICES COMMITTEE

Wednesday, May 5, 2010

Present: Ald. Sangiolo (Chairman), Linsky, Merrill, Blazar, Hess-Mahan, Fischman, Rice and Baker; also present: Ald. Johnson, Fuller, Albright, Swiston and Lennon

#242-03(5) PROGRAMS & SERVICES COMMITTEE requesting evaluation of the Off Leash Dog Pilot Program (Section 3-30(e) as established by ordinance Z-11) which was extended to June 30, 2010 to provide an opportunity for a fuller evaluation of the ordinance. [01/25/10 @ 4:45 PM]

HELD 7-0 (Merrill not voting)

#242-03(6) ALD. ALBRIGHT requesting to amend Section 3-30 (as established by Ordinance Z-11) to create an off-leash dog areas ordinance. [04/26/10 @ 8:47 AM]

A. EXTEND ORDINANCE TO 9/30/10 APPROVED 6-1-0 (Sangiolo opposed; Merrill not voting)

B. ADDITIONAL AMENDMENTS HELD 7-0 (Merrill not voting)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, May 5, 2010

Present: Ald. Ciccone (Chairman), Fuller, Johnson, Swiston, Yates, Harney and Freedman; absent: Ald. Shapiro; also present: Ald. Rice and Sangiolo

#263-09 ALD. BRANDEL & LINSKY requesting a discussion with the city traffic engineer and a representative of the management of the Avalon Bay apartment complex relative to the status of the traffic signal on Needham Street, including funding, application, the approval process, and an anticipated date for installation. [08/10/09 @ 8:34 AM]

HELD 7-0

ITEM RECOMMITTED TO PUB. SAFETY & TRANSPORTATION on 10/19/09

#196-09 ALD. MANSFIELD AND SANGIOLO requesting rescission of Sec. 19-99 (b), Speed humps of the Revised Ordinances of the City of Newton.

HELD 5-0 (Yates and Johnson not voting); REFERRED TO PUBLIC FACILITIES

#196-09(2) PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting to broaden Sec. 19-99, Speed humps of the Revised Ordinances of the City of Newton to cover all vertical deflection: raised intersections, raised crosswalks and speed humps, regardless of dimension. [01/20/10]

HELD 5-0 (Yates and Johnson not voting); REFERRED TO PUBLIC FACILITIES

REFERRED TO PUBLIC FACILITIES COMMITTEE

Wednesday, May 5, 2010

Present: Ald. Schnipper (Chairman), Lennon, Albright, Salvucci, Gentile, Crossley and Danberg, and Lappin

- #128-10 **COMMISSIONER OF PUBLIC WORKS** requesting Board of Aldermen approval to remove the traffic island at the intersection of Beacon Street and Herrick Road. [04-27-10 @ 1:59 PM]
APPROVED 8-0

REFERRED TO CMT ON COMM PRES., PUB. FAC. AND FIN. COMMITTEES

- #83-10 **THE COMMUNITY PRESERVATION COMMITTEE** recommending that the sum of sixty three thousand, eight hundred forty five dollars (\$63,845) be appropriated from the FY10 Community Preservation Fund's historic resources and general reserves to be expended by the Public Buildings Department to complete the design of storage and accessibility improvements for the archives at the Jackson Homestead. [03/09/10 @ 4:20 PM]
COMMITTEE ON COMM. PRESERVATION APPROVED 7-0 ON 5/3/10
FINANCE APPROVED 6-0-1 (Salvucci abstaining) on 5/10/10
APPROVED 6-0-2 (Gentile and Salvucci abstaining)

REFERRED TO COMM. PRES., PUB FAC & FINANCE COMMITTEES

- #147-08 **COMMUNITY PRESERVATION COMMITTEE** recommending that the sum of \$359,400, including \$2,000 for legal costs, be appropriated from the FY'08 Community Preservation Fund's historic resources and general reserves, for a project to rehabilitate and expand storage space for the research library and archives at the Newton History Museum, to preserve the existing collections, and enhance public access to the collections. [04-01-08 @ 4:10 PM]
COMMUNITY PRESERVATION APPROVED 6-0 on 4-29-08
(A) DESIGN FUNDS ESTIMATE \$37,500.00 – BOA APPROVED ON 07/21/08
(B) BALANCE OF PROJECT ESTIMATE \$321,900.00 – HELD
FINANCE HELD 6-0 (Freedman not voting) on 5/10/10
PART B VOTED NO ACTION NECESSARY 8-0

NOTE: The Committee recommended an emergency preamble with the following item, which will require a separate two-thirds vote by the Board.

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #133-10 **HIS HONOR THE MAYOR** requesting authorization to appropriate one hundred twenty thousand dollars (\$120,000) from Free Cash to the Public Buildings Department for the purpose of funding actual and anticipated costs associated with the restoration of City Hall as a result of the severe rain storms in march of this year.
FINANCE APPROVED 6-0 (Linsky not voting on 5/10/10)
APPROVED 8-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#134-10 HIS HONOR THE MAYOR requesting authorization to transfer one hundred thousand dollars (\$100,000) from the Sewer MWRA Assessments line item to the Sewer Main Repair/Installation Overtime account to fund a projected shortfall in the Sewer overtime account.
FINANCE APPROVED 6-0 (Linsky not voting on 5/10/10)
APPROVED 7-0 (Albright not voting)

#385-07 ALD. SCHNIPPER AND GENTILE updating the Public Facilities Committee on the progress of the Newton North High School Project.
 [11/21/07 @ 10:23 AM]
HELD 7-0 (Albright not voting)

REFERRED TO FINANCE COMMITTEE

Monday, May 10, 2010

Present: Ald. Gentile (Chairman), Linsky, Salvucci, Rice, Danberg, Fuller, and Freedman; absent: Ald. Ciccone; also present: Ald. Merrill

#56-07(3) HIS HONOR THE MAYOR requesting the following amendments to the Newton North High School New Construction Project Appropriation Schedule included in Board Order #56-07(2) approved April 22, 2008:

<u>Line</u>	<u>Amount</u>
1) Classroom Furniture to be changed to Furnishings, Fixtures, and Equipment (FF&E)	\$1,387,500 \$1,387,500
2) Computer Server Hardware Audio-visual Equipment To be combined and changed to Information Technology Equipment	\$925,000 \$925,000 \$1,850,000

APPROVED 6-0 (Freedman not voting)

#130-10 HIS HONOR THE MAYOR requesting a transfer of forty-five thousand dollars (\$45,000) from Human Resources Department unemployment account to the Human Resources Department severance account for the purpose of funding all liabilities associated with the FY'10 personnel reductions.

APPROVED 6-0-1 (Linsky abstaining)

REFERRED TO CMTE. ON COMM. PRESERV. AND FINANCE COMMITTEE

#113-10 THE COMMUNITY PRESERVATION COMMITTEE recommending that \$5,200 be appropriated from the FY10 Community Preservation Fund's historic resources and general reserves and expended under the spending authority of the City Clerk, to preserve and restore the original frame and 19th century portrait of James F. C. Hyde, Newton's first mayor.
 [03/22/10 @ 4:58 PM]

COMMITTEE ON COMM. PRESERVATION APPROVED 7-0 ON 5/3/10

APPROVED 6-0 (Freedman not voting)

REFERRED TO CMT ON COMM PRES., PUB. FAC. AND FIN. COMMITTEES

- #83-10 **THE COMMUNITY PRESERVATION COMMITTEE** recommending that the sum of sixty three thousand, eight hundred forty five dollars (\$63,845) be appropriated from the FY10 Community Preservation Fund's historic resources and general reserves to be expended by the Public Buildings Department to complete the design of storage and accessibility improvements for the archives at the Jackson Homestead. [03/09/10 @ 4:20 PM]
COMMITTEE ON COMM. PRESERVATION APPROVED 7-0 ON 5/3/10
PUBLIC FACILITIES APPROVED 6-0-2 (Gentile and Salvucci abstaining) ON 05/05/10
APPROVED 6-0-1 (Salvucci abstaining)

REFERRED TO COMM. PRES., PUB FAC & FINANCE COMMITTEES

- #147-08 **COMMUNITY PRESERVATION COMMITTEE** recommending that the sum of \$359,400, including \$2,000 for legal costs, be appropriated from the FY'08 Community Preservation Fund's historic resources and general reserves, for a project to rehabilitate and expand storage space for the research library and archives at the Newton History Museum, to preserve the existing collections, and enhance public access to the collections. [04-01-08 @ 4:10 PM]
COMMUNITY PRESERVATION APPROVED 6-0 on 4-29-08
(A) DESIGN FUNDS ESTIMATE \$37,500.00 – BOA APPROVED ON 07/21/08
(B) BALANCE OF PROJECT ESTIMATE \$321,900.00 – HELD PUBLIC FACILITIES VOTED NO ACTION NECESSARY ON PART B 8-0 on 05/05/10
HELD 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #133-10 **HIS HONOR THE MAYOR** requesting authorization to appropriate one hundred twenty thousand dollars (\$120,000) from Free Cash to the Public Buildings Department for the purpose of funding actual and anticipated costs associated with the restoration of City Hall as a result of the severe rain storms in March of this year.
PUBLIC FACILITIES APPROVED 8-0 ON 05-05-10
APPROVED 6-0 (Linsky not voting)
- #129-10 **HIS HONOR THE MAYOR** requesting authorization to appropriate and expend twelve thousand one hundred fifty-four dollars (\$12,154) from Budget Reserve for the purpose of supplementing the Public Buildings Department full-time salaries account.
APPROVED 6-0 (Linsky not voting)

- #131-10 HIS HONOR THE MAYOR requesting authorization to accept and expend a grant from Federal Emergency Management Agency (FEMA) FY'09 Assistance to Firefighters Grant Program for fifty-six thousand three hundred seventy-eight dollars (\$56,378) and appropriate fourteen thousand ninety-four dollars (\$14,094) from Free Cash to the federal grant fund for the purpose of providing the local share of the grant program, which will be used to provide emergency vehicle operations training.
HELD 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #134-10 HIS HONOR THE MAYOR requesting authorization to transfer one hundred thousand dollars (\$100,000) from the Sewer MWRA Assessments line item to the Sewer Main Repair/Installation Overtime account to fund a projected shortfall in the Sewer overtime account.
PUBLIC FACILITIES APPROVED 7-0 (Albright not voting) on 05-05-10
APPROVED 6-0 (Linsky not voting)

- #132-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend three hundred fifty thousand dollars (\$350,000) from the Overlay Surplus declared on April 21, 2010 to fund the Fiscal Year 2011 state-mandated revaluation.
APPROVED 5-0-1 (Freedman abstaining, Salvucci not voting)

REFERRED TO COMMITTEE ON COMMUNITY PRESERVATION

Monday, May 3, 2010

Present: Ald. Albright (Chairman), Yates, Ciccone, Fuller, Blazar, Lappin and Hess-Mahan; absent: Ald. Harney

REFERRED TO CMTE. ON COMM. PRESERV. AND FINANCE COMMITTEE

- #113-10 THE COMMUNITY PRESERVATION COMMITTEE recommending that \$5,200 be appropriated from the FY10 Community Preservation Fund's historic resources and general reserves and expended under the spending authority of the City Clerk, to preserve and restore the original frame and 19th century portrait of James F. C. Hyde, Newton's first mayor.
[03/22/10 @ 4:58 PM]
FINANCE APPROVED 6-0 (Freedman not voting) on 5/10
APPROVED 7-0

IN COMMITTEE OF THE WHOLE

Wednesday, May 12 and Thursday, May 13, 2010

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#121-10(2) HIS HONOR THE MAYOR submitting recommended FY2011 Water and Sewer Rates for implementation on July 1, 2010.

PUBLIC HEARING OPENED AND CLOSED

PROPOSED RATES:

	WATER	SEWER
0-20	\$5.14	\$7.28
21-70	\$6.17	\$8.74
>70	\$7.40	\$10.49

COMMITTEE OF THE WHOLE APPROVED 21 YEAS, 1 NAY (Fuller), 2 ABSENT (Salvucci & Sangiolo)

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#376-09 HIS HONOR THE MAYOR submitting the FY11-15 Capital Improvement Program, totaling \$140,377,285 and the FY10 Supplemental Capital budget, which require Board of Aldermen approval to finance new capital projects over the next five years.

PUBLIC HEARING OPENED AND CLOSED

COMMITTEE OF THE WHOLE HELD BY VOICE VOTE

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#121-10 HIS HONOR THE MAYOR, in accordance with Section 5-1 of the City of Newton Charter, submitting the FY'11 Municipal/School Operating Budget totaling \$340,073,328, passage of which shall be concurrent with the FY'11- FY'15 Capital Improvement Program. [04-13-10 @ 7:09 PM]

EFFECTIVE DATE OF SUBMISSION: 04/20/10; LAST DATE TO PASS BUDGET 06/4/10

THE FY11 BUDGET AS AMENDED @\$339,789,480 WAS APPROVED BY VOICE VOTE WITH 4 ABSTENTIONS