

**CITY OF NEWTON**  
**IN BOARD OF ALDERMEN**  
**BOARD ACTIONS**

Monday, September 20, 2010

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

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 24 YEAS, 0 NAYS, 0 ABSENT TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEMS:**

**REFERRED TO ZONING AND PLANNING**

Monday, September 13, 2010

- #89-10(3) HIS HONOR THE MAYOR re-appointing CANDACE HAVENS Interim Director of Planning and Development effective October 1, 2010 until a permanent replacement is hired, but not to exceed 90 days when the temporary appointment may be extended with Board of Aldermen approval pursuant to §3-6 of the City Charter. [9/01/10 @4:48 PM]  
**ZONING & PLANNING APPROVED 5-0 (Sangiolo, Lappin, and Lennon not voting)**
- #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.  
**ZONING & PLANNING NO ACTION NECESSARY 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.  
**ZONING & PLANNING NO ACTION NECESSARY 8-0**

**REFERRED TO PUBLIC FACILITIES**

Monday, September 13, 2010

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

#247-10 HIS HONOR THE MAYOR requesting that the budget for the Newton North High School construction project be amended by transferring funds from the Phase I accounts to Phase II accounts in the sum of one million twenty-five thousand nine hundred ninety-four dollars (\$1,025,994) to focus resources on demolition phase of the project, as follows:

**Funds from Phase I**

Construction Manager at Risk	\$1,025,994
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**Funds to Phase II**

Consultant (Testing, Abatement, Landscaping)	\$290,000
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Architectural Services	\$460,000
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Construction Project Management	\$150,522
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Unallocated Contingency	\$125,472
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Total:	\$1,025,994
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**FINANCE APPROVED AS AMENDED 8-0 @ \$1,200,994 ON 9/13/10**  
**PUBLIC FACILITIES APPROVED AS AMENDED 7-0 @ \$1,200,994**

**REFERRED TO FINANCE COMMITTEE**

Monday, September 13, 2010

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

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Unallocated Contingency	\$125,472
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Total:	\$1,025,994
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**PUBLIC FACILITIES APPROVED AS AMENDED 7-0 @ \$1,200,994**  
**FINANCE APPROVED AS AMENDED 8-0 @ \$1,200,994**

#219-10(2) HIS HONOR THE MAYOR appointing Rositha Durham as CHIEF PROCUREMENT OFFICER, pursuant to Sec. 3-3(a) of the City Charter, effective August 30, 2010 (30-day Board action date 10/7/10). [09/01/10 @ 4:38 PM]

**FINANCE APPROVED 8-0**

- #202-10 HIS HONOR THE MAYOR requesting authorization to transfer forty thousand dollars (\$40,000) from FY2011 Budget Reserve to the Treasury Department.  
**FINANCE APPROVED 5-0 (Freedman, Linsky and Rice not voting)**
- #210-10 BOARD OF ASSESSORS requesting an amendment to Senior Citizen Volunteer Program, Sec. 27-20. Establishment; rate; maximum annual reduction. to increase the maximum allowable annual reduction on any real estate tax bill from \$750 to \$1,000 in accordance with the provisions of Chapter 27 §4 of the Acts of 2009.  
[07/01/10 @ 3:29 PM]  
**FINANCE APPROVED 8-0**
- #228-10 HIS HONOR THE MAYOR requesting acceptance of a gift from the Department of Energy Resources as a result of the City of Newton's designation as a Green Community of seven (7) BigBelly Solar Compactors with bottle/can recycling units to be placed in the village squares of West Newton and Upper Falls for a total value of thirty-one thousand six hundred ninety-six dollars (\$31,696).  
[08/02/10 @ 5:01 PM]  
**FINANCE APPROVED 8-0**
- #38-10(2) HIS HONOR THE MAYOR requesting acceptance of and authorization to expend a grant of one hundred seventy-nine thousand five hundred dollars (\$179,500) to perform a deep energy retrofit of the Lower Falls Community Center from the Department of Energy Resources, as a result of the City of Newton's designation as a Green Community. [08/02/10 @ 5:01 PM]  
**FINANCE APPROVED 8-0**
- #225-10 HIS HONOR THE MAYOR requesting acceptance of and authorization to expend a ten thousand dollar (\$10,000) grant from the Fiscal Year 2010 Underage Alcohol Enforcement Grant Program offered by the Massachusetts Executive Office of Public Safety and Security to be used to support overtime costs to monitor the enforcement of sales regulations to intoxicated patrons and to perform compliance checks to enforce laws against alcohol sales to minors. [08/02/10 @ 4:58 PM]  
**FINANCE APPROVED 8-0**

**A MOTION TO SUSPEND THE RULES TO ALLOW THE PUBLIC FACILITIES COMMITTEE TO REPORT OUT THE FOLLOWING ITEMS WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE**

**REFERRED TO PUBLIC FACILITIES**

Monday, September 20, 2010

- #241-10 NATIONAL GRID petitioning for a grant of location to install and maintain 229' ± of 4" gas main in WARREN ROAD from the existing 12" gas main in Beacon Street northerly to 17 Warren Road. WARD 5 [08/10/10 @ 2:39 PM]  
**PUBLIC FACILITIES APPROVED 8-0**

#246-10 HIS HONOR THE MAYOR appointing Stephanie Gilman as COMMISSIONER OF PUBLIC BUILDINGS pursuant to Sec. 3-3(a) of the City Charter, effective September 13, 2010 (30-day Board action date 10/7/10). [09/01/10 @ 4:38 PM]  
**PUBLIC FACILITIES APPROVED 8-0**

**A MOTION TO SUSPEND THE RULES TO ALLOW THE FINANCE COMMITTEE TO REPORT OUT THE FOLLOWING ITEM WITHOUT A WRITTEN REPORT WAS APPROVED BY VOICE VOTE**

**REFERRED TO FINANCE**

Monday, September 20, 2010

#201-10 HIS HONOR THE MAYOR requesting authorization to transfer the unobligated balances held by the City in two special appropriation accounts, totaling fifty thousand nine hundred sixty-six dollars and twenty-six cents (\$50,966.26), from Bradford Development's Sedimentation Chamber Fund and Traffic Mitigation Fund [special permit nos. 514-99(2) and 515-99(2)) and board order nos. 131-05 and 289-03(5)] to the Law Department's Judgment and Settlement Account and authorization for the City Solicitor to settle a claim brought by the developer and its successor to recover the unexpended funds in these two special appropriation accounts in accordance with the above special permits. [6/14/10 @6:13PM]  
**FINANCE APPROVED AS AMENDED 7-0 @ 43,466.26**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 23 YEAS, 0 NAYS, 0 ABSENT, 1 EXCUSED (Ald. Baker) TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEM:**

#200-10 PRESIDENT LENNON recommending the appointment of R. LISLE BAKER, 137 Suffolk Road, Chestnut Hill, as the Ward 5-8 aldermanic representative to the ALDERMANIC SCHOLARSHIP FUND for a term to expire 12/31/11. [6/11/10 @2:31PM]  
**FINANCE APPROVED 7-0 (Salvucci not voting)**

**THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 23 YEAS, 0 NAYS, 0 ABSENT, 1 EXCUSED (Ald. Salvucci) TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEM:**

#199-10 PRESIDENT LENNON recommending the appointment of ANTHONY J. SALVUCCI, 23 Eddy Street, West Newton as the Ward 1-4 aldermanic representative to the ALDERMANIC SCHOLARSHIP FUND for a term to expire 12/31/11. [6/11/10 @2:31PM]  
**FINANCE APPROVED 7-0 (Salvucci not voting)**

**A MOTION TO SUSPEND THE RULES TO ALLOW THE FOLLOWING FOUR LATE FILED ITEMS TO BE ACCEPTED ON THE DOCKET AND REFERRED TO THE APPROPRIATE COMMITTEES WAS APPROVED BY VOICE VOTE**

**REFERRED TO ZONING & PLANNING COMMITTEE**

- #92-10(2) ZONING & PLANNING COMMITTEE proposing a RESOLUTION to His Honor the Mayor providing selection criteria guidance for membership on the *Planning & Development Board* 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 service to the City. [9-13-10@11:41AM]
- #93-10(2) ZONING & PLANNING COMMITTEE proposing a RESOLUTION to His Honor the Mayor providing selection criteria guidance for membership on the *Zoning Board of Appeals* 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 service to the City. [9/13/10 @11:41AM]

**REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES**

- #264-10 ALD. CROSSLEY, SCHNIPPER & FULLER requesting a discussion of the status of new water meter installations, and to consider payment mechanisms to help customers if they receive an extraordinary, one-time, water bill from an accurate accounting of past usage over an extended period of time. [09/16/10 @11:59 am]

**REFERRED TO FINANCE COMMITTEE**

- #265-10 HIS HONOR THE MAYOR requesting Board of Aldermen authorization pursuant to MGL Chapter 30B §12 to grant up to three (3) one-month extensions of Contract #C-2542 Parking Violation Process and Collection System, with Complus Data Innovations, Inc. for the purpose of allowing the City to continue to process parking violations. [09/20/10 @12:46 PM]

**PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:**

***Public Hearing assigned for October 12, 2010:***

- #248-10 SCONNIX REALTY TRUST/ATS – NEEDHAM, LLC petition to amend and consolidate special permits and site plans approved via prior special permit nos. 105686, April 5, 1954, 781-73(2) and 462-05 and to extend a nonconforming structure/use (tower/transmission station) for existing equipment located on the at 1165 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as SBL 51, 45, 5, containing ≈330,000 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: Sec 30-24, 30-23, 30-18(c)(2), 30-18(A)(e)(5), 30-18(e)(7)d, 30-18(A)(e)(8), 30-18(A)(f), 30-21(b), 30-8(b)(9), 30-9(b)(1) of the City of Newton Rev Zoning Ord, 2007.

***Public Hearing assigned for October 12, 2010:***

#249-10 CHESTNUT HILL FOUNDATION, INC. petition for a special permit/extension of a nonconforming use and to amend the site plan(s) approved in special permit nos. 253-73, 359-74, 471-76, 624-78, and 17-82 for an association of persons living together and religious/educational center operated by *Opus Dei*, a prelature of the catholic Church, at 481 HAMMOND STREET, Ward 7, Chestnut Hill, on land known as SBL 63, 16, 1, containing ≈145,538 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec 30-3(b)(1), 30-15 Table 2, 30-21(a)(2)b), 30-21(b), 30-19(h)(1), 30-19(m), 30-19(h)(4)a) and b), 30-19(k) of the City of Newton Rev Zoning Ord, 2007.

***Public Hearing assigned for October 12, 2010:***

#250-10 HISTORIC CHESTNUT STREET, LLC. petition for a special permit/site plan approval and to extend a nonconforming structure to renovate an existing building and construct an addition to create three residential units and to waive one parking space at 1012-1022 CHESTNUT STREET, Ward 5, Newton Upper Falls, on land known as Sec 51, Blk 6, Lots 15 &16, containing ≈11,530 sq. ft. of land in a district zoned BUSINESS 1. Ref: 30-24, 30-23, 30-15 Table 3, 30-21(a)(2)b), 30-21(b), 30-11(d)(8), 30-19(d) and (m) of the City of Newton Rev Zoning Ord, 2007.

***Public Hearing assigned for September 22, 2010:***

#258-10 NATIONAL GRID petitioning for a grant of location to install and maintain 110' ± of 6" gas main in BEECHER PLACE from the existing 6" gas main in Beecher Place at Beecher Terrace easterly to 50 Beecher Place. WARD 6 [09/01/10 @ 12:01 PM]