

CITY OF NEWTON

IN BOARD OF ALDERMEN

BOARD ACTIONS

Monday, December 20, 2010

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

Absent: Ald. Salvucci

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

- #368-10 COMMISSIONER OF PUBLIC WORKS declaring surplus for sale or lease the Austin Street municipal parking lot in Newtonville, provided that 85 parking spaces remain available at no cost for City use.
**REAL PROPERTY REUSE APPROVED AS AMENDED (A) DECLARING THE PROPERTY SUPRPLUS 5-1 (Ald. Gentile Opposed)
REAL PROPERTY REUSE APPROVED (B) TO FORM A JOINT ADVISORY PLANNING GROUP 6-0**
THE CHAIR OF THE COMMITTEE ASKED FOR A SUSPENSION OF THE RULES TO ALLOW THE REPORTING OF THIS ITEM WITHOUT A WRITTEN REPORT. APPROVED BY VOICE VOTE
(A) DECLARING THE PROPERTY SUPRLUS WAS APPROVED BY VOICE VOTE WITH 4 NAYS
(B) TO FORM A JOINT ADVISORY PLANNING GROUP WAS APPROVED BY VOICE VOTE

Notes: The item was placed on second call. The Chair reported that the committee had approved the item with an amendment to include the words “at least” 85 parking spaces. There are approximately 159 parking spaces in this lot and 85 of those spaces are in constant use, thus the request to retain at least 85 of those spaces. The Chair also noted that the committee voted to form a Joint Advisory Planning Group (JAPG). The JAPG would include members chosen by both the Mayor and the Board of Aldermen and would discuss and review options for the site.

The Real Property Reuse Committee has met on several occasions to talk about this property and to look at it as a possible mixed-use site. There was also concern raised that the neighborhood may not know that development of the lot is being considered and it was noted that there have been a number of meetings in the neighborhood over the years and the three Ward 2 Aldermen have been involved and are in favor of examining the possibilities. It was noted that there will be a public hearing when a project comes forward for the site. The board will have opportunity for review at several places in the process. The site was identified by the Comprehensive Planning Group as an underutilized site and is one of the few sites where a mixed use development can be situated.

It was noted that the project would be over 20,000 sq. feet and that it would require a special permit. This will provide some protection to the neighbors of the area, but a project of that size seemed big. Concern was also raised at the loss of 74 parking spaces in the center of Newtonville Square. A statement was made in committee that the City was not looking to make money on this deal, and concern was raised that the City would consider giving up a piece of property without getting something of value in return.

The Board was reminded that there have been several properties that have been declared surplus that some wish that the city now had back.

A statement was made that Newtonville Square needs to develop a sense of place. To do that it needs a critical mass of activity, and this project will help to do that.

A question was raised as to what it meant that the parking spaces were to be retained at no cost to the city. The chair noted that the developer could not charge the city for their use of the parking spaces. The City could still maintain parking meters or a means to collect parking revenues.

The Board voted to Approve both (A) and (B).

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 22 YEAS, 0 NAYS, 2 ABSENT (Ald. Rice & Salvucci) TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING ITEMS:

REFERRED TO LAND USE COMMITTEE

Tuesday, December 7, 2010

#313-10 PRESIDENT LENNON in conjunction with Newton Wellesley Hospital recommending the re-appointment/appointment of the following individuals to the Newton Wellesley Hospital Neighborhood Council pursuant to condition 29 of special permit #470-04 for terms concurrent with the 2010-2011 Board of Aldermen:

(A) Theresa Fitzpatrick
1935 Beacon Street
Newton 02468

(C) Andree Saulnier
54 Longfellow Road
Newton 02462

(E) Ald. Amy Sangiolo (Ward 4)

(B) George Swetz
120 Dorset Road
Newton 02462

(D) Debra Waller Sallaway
10 Bonaire Circle
Newton 02462

(new appointee)

(F) Ald. Brian Yates (Ward 5)

LAND USE (A), (B), (C), (E), (F) APPROVED 5-0 (Schnipper and Harney not voting)

#277-10 JENNIE MARIE ONE LLC/JENNIE MARIE TWO LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to demolish an existing single-family dwelling and construct a mixed-use development containing 5 two-bedroom dwelling units over 2, 997 sq. ft. of retail space with a 21-space rear-yard parking lot (accessed by Cottage Court) at 152 ADAMS STREET, Ward 1, Nonantum on land known as SBL 14, 14, 33, containing ≈14,532 sq. ft. of land in districts zoned BUSINESS 2 and BUSINESS 1. Ref: Sec 30-24, 30-23, 30-19((d)(2), (i)(2), (j)(1), and (m), 30-15 Table 3, of the City of Newton Rev Zoning Ord, 2007.

LAND USE APPROVED 7-0

#333-10 LIFT THROTTLE AUTOMOTIVE
26 Shepherd Park
Waban 02468 Class 2

LAND USE APPROVED 5-0 (Schnipper and Harney not voting)

2011 Auto Dealer Licenses

Class 1

#324-10 CLARK & WHITE, INC.
777 Washington Street
Newtonville 02460

LAND USE APPROVED 7-0

#325-10 CLAY NISSAN OF NEWTON, INC.
431 Washington Street
Newton Corner 02458

LAND USE APPROVED 7-0

#326-10 VILLAGE MOTORS GROUP, INC.
d/b/a HONDA VILLAGE
371 Washington Street
Newton Corner 02458

LAND USE APPROVED 7-0

Class 2

#327-10 AUTO EUROPA, INC.
38 Ramsdell Street
Newton Highlands 02461

LAND USE APPROVED 7-0

#329-10 ENZO'S AUTO SALES
10 Hawthorn Street
Nonantum 02458

LAND USE APPROVED 7-0

- #330-10 GLOBAL VENTURES GROUP
d/b/a LUX AUTO PLUS
1197-1201 Washington Street
West Newton 02465
LAND USE APPROVED 7-0
- #331-10 JACOB & ASSOCIATES
1232 Washington Street
West Newton 02465
LAND USE APPROVED 7-0
- #332-10 ROBERT LEONE
14 Beech Street
Newton 02458
LAND USE APPROVED 7-0
- #334-10 LOS ANGELES AUTO BODY, INC.
41 Los Angeles Street
Nonantum 02458
LAND USE APPROVED 7-0
- #335-10 MAP DEVELOPMENT & INVESTMENTS
d/b/a ALBEMARLE MOTORS INC.
175 North Street
Newtonville 02460
LAND USE APPROVED 7-0
- #336-10 NEW ENGLAND MOTOR MART, INC.
1221-1229 Washington Street
West Newton 02465
LAND USE APPROVED 7-0
- #337-10 NEWTON AUTO GROUP, INC.
1235 Washington Street
West Newton 02465
LAND USE APPROVED 7-0
- #338-10 NEWTON CENTRE SHELL, INC.
1365 Centre Street
Newton Centre 02459
LAND USE APPROVED 7-0
- #339-10 NEWTON TRADE CENTER
103 Adams Street
Nonantum 02458
LAND USE APPROVED 7-0

- #340-10 OLD TIME GARAGE LTD.
1960 Washington Street
Newton Lower Falls 02462
LAND USE APPROVED 7-0
- #341-10 R.S. SERVICE, INC.
361 Washington Street
Newton Corner 02458
LAND USE APPROVED 7-0
- #342-10 ROBERT'S TOWING, INC.
926r Boylston Street
Newton Highlands 02461
LAND USE APPROVED 7-0
- #343-10 THE TRAVIS CORPORATION
d/b/a THE CAR STORE
19 Rolling Lane
Chestnut Hill 02467
LAND USE APPROVED 7-0
- #344-10 VELOCITY MOTORS, INC.
14 Hawthorn Street
Nonantum 02458
LAND USE APPROVED 7-0
- #345-10 WASHINGTON STREET SUNOCO
875 Washington Street
Newtonville 02460
LAND USE APPROVED 7-0
- #346-10 CITY OF NEWTON
1000 Commonwealth Avenue 02459
LAND USE APPROVED 7-0

REFERRED TO LAND USE COMMITTEE

Tuesday, December 14, 2010

Public Hearings were held on the following items:

- #300-10 1479 WASHINGTON STREET LLC petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING USE/STRUCTURE to expand an existing funeral home use; construct a retaining wall greater than 4' in the side & rear setbacks, to waive 38 parking stalls; to locate a parking stall in the front setback, closer than 5' to the street at 1479 WASHINGTON STREET, Ward 3, West Newton, on land known as SBL 33, 5, 4, containing ≈8,990 sf of land in a

district zoned BUSINESS 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)b, 30-21(b), 30-19(d)(6), (g)(1), (m), 30-5(b)(4) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED

#314-10 ERIN CARPE & MARTIN WOLIN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to demolish an existing one-story attached garage and construct a new garage with a second-story bedroom/bath addition at 17 FERNCROFT ROAD, Ward 5, Waban, on land known as SBL 53, 7, 12, containing approx. 11,025 sq ft of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-20-21(a)(2)b and 30-21(b) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; LAND USE APPROVED 7-0

#117-01(3) DIANA RODRIGUEZ & GEORGE KOVALEVSKY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE and AMEND the site plan approved in special permit #117-01 by increasing the existing nonconforming Floor Area Ratio from .337 to .371 to construct a conservatory on the west side of 90 HIGHLAND AVENUE, Ward 2, Newtonville, on land known as SBL 24, 12, 5, containing approx. 10,590 sq ft of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-21(a)(2)b, 30-21(b) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; LAND USE APPROVED 7-0

#315-10 ELISA D'ANDREA & GLEN WEINSTEIN petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to EXTEND A NONCONFORMING STRUCTURE to relocate an existing driveway that exits onto Lincoln Street to the north side of the property so that the driveway will exit off of Dickerman Road to allow parking for 2 cars side-by-side and to construct a set of stairs in the front setback at 227 LINCOLN STREET, Ward 5, Newton Highlands, on land known as SBL 54, 38, 18, containing approx. 8,888 sq ft of land in a district zoned SINGLE RESIDENCE 2. Ref: 30-24, 30-23, 30-21(a)(2)b, 30-21(b), 30-19(g), and 30-19(m) of the City of Newton Rev Zoning Ord, 2007.

HEARING CLOSED; LAND USE APPROVED 7-0

REFERRED TO ZONING AND PLANNING COMMITTEE

Monday, December 13, 2010

#353-10 ALD. JOHNSON, LINSKY, YATES proposing a Resolution to His Honor the Mayor, requesting that the City of Newton purchase the Economic Development Self- Assessment Tool and associated Toolkit developed by the Dukakis Center at Northeastern University to assist the city to better position itself in attracting business investment and growing existing businesses. [11/17/2010 @ 9:07am]

ZONING AND PLANNING APPROVED AS AMENDED 7-0

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday December 8, 2010

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:
 (A) seventy-five thousand dollars (\$75,000) for site plan design work for modular classrooms at Horace Mann, Zervas, and Countryside Elementary Schools
 (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.
PUBLIC FACILITIES APPROVED (A) AS AMENDED 6-0; HELD (B) 6-0 on 12/08/10
FINANCE APPROVED (A) AS AMENDED 5-0 on 12/13/10
PROGRAMS & SERVICES APPROVED (A) AS AMENDED 6-0, HELD (B) 6-0
- #317-10 PRESIDENT LENNON re-appointing Melissa Hanenberger of 56 Valentine Street, as the parent member of the Newton Child Care Commission for a term to expire December 31, 2012
PROGRAMS & SERVICES APPROVED 5-0 (Merrill not voting)
- #318-10 PRESIDENT LENNON re-appointing Katey Grossman of 47 Brookline Street, as the child care provider member of the Newton Child Care Commission for a term to expire December 31, 2012.
PROGRAMS & SERVICES APPROVED 5-0 (Merrill not voting)
- Re-appointment by His Honor the Mayor
- #354-10 BARBARA C. LIETZKE, 68 Highland Avenue, Newtonville, re-appointed to the Board of Trustees of the Newton Free Library for a term of office to expire on June 30, 2015.
PROGRAMS & SERVICES APPROVED 5-0 (Merrill not voting)
- #316-10 PRESIDENT LENNON appointing Alderman John Rice as a member of the Newton Child Care Commission for a term to expire on December 31, 2011
PROGRAMS & SERVICES APPROVED 5-0 (Merrill not voting)
- #355-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Real Property & Reuse Committee. Issues regarding reuse of public buildings to be referred to the Public Facilities Committee and issues regarding reuse of City owned land would be referred to the Land Use Committee. Effective date of this change will be January 1, 2012
REFERRED TO RULES SUBCOMMITTEE 5-0 (Merrill not voting)

- #356-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Post-Audit Committee. All post audit/follow-up items will be discussed in the substantive committee that originally heard the item. Effective date of this change will be January 1, 2012
REFERRED TO RULES SUBCOMMITTEE 5-0 (Merrill not voting)
- #357-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Committee on Community Preservation. All Community Preservation items will be referred to the Finance Committee. Effective date of this change will be January 1, 2012.
REFERRED TO RULES SUBCOMMITTEE 5-0 (Merrill not voting)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, December 8, 2010

- #294-10 ROBERT J. KELLY, 175 High Street, Waltham, MA 02453, requesting renewal of **four (4) public auto licenses, forty-nine (49) taxi licenses, and twelve (12) designated taxi stands** for VETERANS TAXI of NEWTON, LLC. [09/28/10 @ 11:06 AM]
PUBLIC SAFETY APPROVED 7-0
- #293-10 RICHARD E. JOHNSTON, 25 Border Street, West Newton, MA 02465 requesting renewal of **twenty (20) taxi licenses and two (2) designated taxi stands** for NEWTON YELLOW CAB, INC. [09/30/10 @ 1:44 PM]
(A) PUBLIC SAFETY APPROVED AS AMENDED 19 VEHICLES 7-0
(B) PUBLIC SAFETY HELD 1 VEHICLE PENDING INSPECTION 7-0
A MOTION TO SUSPEND THE RULES TO ALLOW THE CHAIR OF THE PUBLIC SAFETY COMMITTEE TO POLL HIS COMMITTEE WAS APPROVED BY VOICE VOTE
(B) PUBLIC SAFETY APPROVED 8-0

Note: The Chair of the Public Safety Committee asked for a suspension of the rules to allow him to poll his committee to provide additional information on item (B) which had been held in committee. The Chair reported that the vehicle in question had its inspection and had passed. The Committee then voted to approve the license.

- #283-10 JERRY ROBBINS, 253 Riverview Avenue, Newton, MA 02466, requesting renewal of **four (4) public auto licenses** for WELDON EXECUTIVE COACH. [09/02/10 @ 3:32 PM]
PUBLIC SAFETY APPROVED 7-0

REFERRED TO PUBLIC FACILITIES COMMITTEE

December 8, 2010

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:
- (A) seventy-five thousand dollars (\$75,000) for site plan design work for modular classrooms at Horace Mann, Zervas, and Countryside Elementary Schools
- (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]

PROGRAMS & SERVICES APPROVED (A) AS AMENDED 6-0; HELD (B) 6-0 on 12/08/10

FINANCE APPROVED (A) AS AMENDED 5-0 on 12/08/10

PUBLIC FACILITIES APPROVED (A) AS AMENDED 6-0; HELD (B) 6-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #311-10 HIS HONOR THE MAYOR requesting an appropriation in the amount of three million three hundred thirty-five thousand dollars (\$3,035,000) from bonded indebtedness for the purpose of funding the FY 2011 Capital Improvement Plan projects as follows:

(A) Architectural Design and Engineering/ Next Scheduled Fire Station	\$400,000
(C) City Hall Windows – Repair/Replacement	\$125,000
(D) Purchase of Heavy Vehicle Equipment – DPW	\$300,000
(E) Newton Public Schools – Roof Repairs	\$810,000
(F) Newton Public Schools – Masonry Repairs	\$450,000
(G) Newton Public Schools – Boiler Replacements	\$350,000
(H) Newton Public Schools – Roof Top & Exhaust Unit Replacements	\$100,000
(I) Newton Public Schools – Window and Door Replacements	\$500,000
TOTAL	\$3,035,000

[11/29/10 @ 3:23 PM]

#311-10A WAS SPLIT INTO A-1 AND A-2

FINANCE APPROVED A-1 5-0 ON 12/13/10

#311-10A-2 - HELD 6-0 \$270,000 for final design bidding and construction administration for renovation, project management and contingency

#311-10A-1 - PUBLIC FACILITIES APPROVED 6-0 @ \$130,000 for architectural programing, schematic design, site and building testing

REFERRED TO FINANCE COMMITTEE

Monday, December 13, 2010

- #259-10 COMPTROLLER transmitting Annual Financial Report for the audit of fiscal year ending June 30, 2010 for Board of Aldermen review/acceptance. [09/13/10 @ 12:26 PM]

APPROVED 6-0 FINALIZATION OF DRAFT MANAGEMENT LETTER AND DRAFT REPORTS ON INTERNAL CONTROL OVER FINANCIAL REPORTING, COMPLIANCE AND FEDERAL AWARD PROGRAMS REFERRED TO FINANCIAL AUDIT ADVISORY COMMITTEE 6-0

#358-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of eight thousand dollars (\$8,000) from Free Cash for the purpose of purchasing a check endorsing machine for the Treasury Department. [11/29/10 @3:23 PM]

FINANCE APPROVED 6-0

#359-10 HIS HONOR THE MAYOR requesting authorization to appropriate and expend the sum of eleven thousand five hundred dollars from Free Cash for the purpose of purchasing a backup server for the Police/Fire Department QED software. [11/29/10 @ 3:23 PM]

FINANCE APPROVED 6-0

#360-10 HIS HONOR THE MAYOR requesting authorization to transfer the sum of eight thousand one hundred seventy-five dollars (\$8,175) from the FY 11 Budget Reserve to the Law Department accounts for the purpose of purchasing ISYS software and the associated first year licensing fee for the Clerk of the Board's Office and the Law Department. [11/29/10 @ 3:23 PM]

FINANCE APPROVED 6-0

#361-10 HIS HONOR THE MAYOR requesting authorization to accept and expend a reimbursable grant of sixteen thousand seven hundred dollars from the Massachusetts Historical Commission as part of its Survey and Planning Grant Program for the purpose of funding 60% of the Planning Department staff hours associated with a survey of Newton's oldest buildings. [11/29/10 @ 3:23 PM]

FINANCE APPROVED 6-0

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:

- A) seventy-five thousand dollars (\$75,000) for site plan design work for modular classrooms at Horace Mann, Zervas, and Countryside Elementary Schools
- (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]

PROGRAMS & SERVICES APPROVED (A) AS AMENDED 6-0; HELD (B) 6-0 ON 12/08/10

PUBLIC FACILITIES APPROVED (A) AS AMENDED 6-0; HELD (B) 6-0 ON 12/08/10

FINANCE APPROVED (A) AS AMENDED 3-0-2 (Fuller, Linsky abstaining; Ciccone not voting)

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#311-10 HIS HONOR THE MAYOR requesting an appropriation in the amount of three million three hundred thirty-five thousand dollars (\$3,035,000) from bonded indebtedness for the purpose of funding the FY 2011 Capital Improvement Plan projects as follows:

(A) Architectural Design and Engineering/ Next Scheduled Fire Station \$400,000

#311-10 A SPLIT INTO PARTS A-1 AND A-2**PUBLIC FACILITIES HELD 6-0 A-2 @ \$270,000**

(C) City Hall Windows – Repair/Replacement \$125,000

(D) Purchase of Heavy Vehicle Equipment – DPW \$300,000

(E) Newton Public Schools – Roof Repairs \$810,000

(F) Newton Public Schools – Masonry Repairs \$450,000

(G) Newton Public Schools – Boiler Replacements \$350,000

(H) Newton Public Schools – Roof Top & Exhaust Unit Replacements \$100,000

(I) Newton Public Schools – Window and Door Replacements \$500,000

TOTAL \$3,035,000

[11/29/10 @ 3:23 PM]

PUBLIC FACILITIES APPROVED A-1 @ \$130,000 6-0**FINANCE APPROVED 311-10A-1 @ \$130,000 5-0 (Ciccone not voting)**

THE BOARD OF ALDERMEN VOTED WITHOUT DISCUSSION 21 YEAS, 0 NAYS, 3 ABSENT (Ald. Rice & Salvucci), 1 EXCUSED (Ald. Ciccone) TO ACCEPT ITS COMMITTEES' RECOMMENDATIONS ON THE FOLLOWING TWO ITEMS:

#328-10 **CICCONI MOTORS**
75 Adams Street
Newtonville 02460
LAND USE APPROVED 7-0

PUBLIC HEARINGS WERE ASSIGNED FOR THE FOLLOWING ITEMS:

Public hearing assigned for January 10, 2011:

#142-09(6) INTERIM DIRECTOR OF PLANNING AND DEVELOPMENT requesting to amend Chapter 30, §30-15(u) and TABLE 1 regarding Floor Area Ratio (FAR) to institute a new method of calculating maximum FAR for single and two family structures in residential districts based on a sliding scale tied to lot size and zoning district; to amend § 30-1 definitions of “gross floor area” and “floor area ratio” to include additional building features, accessory structures, and mass below first story; to amend § 30-1 to add definitions of “carport”, “porch,” “enclosed porch”, and “mass below first story”; to delete the reference to §30-15 Table 1 contained in §30-21(c) and replace it with a reference to §30-15(u); to determine a date, between six (6) and twelve (12) months from date of passage, that the above amendments will become effective; and to extend the expiration dates of §30-15(u) paragraphs 1, 2, and 3 so they remain in effect

until such date that the above amendments become effective. [12/15/10 @ 4:37PM]

THE BOARD APPROVED A SUSPENSION OF THE RULES TO ALLOW THIS LATE FILED ITEM TO BE ACCEPTED TO THE DOCKET AND REFERRED TO COMMITTEE.