

REPORTS DOCKET

April 7: Land Use (Cancelled) Continued
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April 15: Programs & Services; Public Safety & Transportation Monday, April 6, 2009
April 16: Post Audit & Oversight Newton City Hall
To be reported on
Tuesday, April 21, 2009

CITY OF NEWTON

IN BOARD OF ALDERMEN

REFERRED TO ZONING & PLANNING COMMITTEE

Monday, April 13, 2008

Present: Ald. Yates (Chairman), Ald. Lappin, Baker, Danberg, Swiston, Harney, ad Linsky; absent Ald. Ciccone; also present: Ald. Johnson

#46-09 DIRECTOR OF PLANNING & DEVELOPMENT recommending that Chapter 30 of the Revised Ordinances of Newton, Massachusetts, 2007, be amended by allowing the board of aldermen to grant a special permit for a Planned Multi-Use Business Development in any Mixed Use 1 District; by adding to Section 30-1, Definitions, a definition for Overlay Zone; by modifying certain minimum criteria and additional special permit criteria for a Planned Multi-Use Business Development in Section 30-15(s), Planned Multi-Use Business Development; by modifying certain density and dimensional requirements for Planned Multi-Use Business Development in Table A of Section 30-15(s), Planned Multi-Use Business Development; by renumbering, in Section 30-11(d), subparagraph (12) as (13) and adding a new subparagraph (12); by renumbering, in Section 30-13(b), subparagraph (16) as (17) and adding a new subparagraph (16); by adding to Section 30-13, Mixed Use Districts, a new subsection 30-13(h), special permits for Planned Multi-Use Business Development; and by adding to Section 30-19(l), Off-Street Loading Requirements, a new subsection 30-19(l)(4) and the table of off-street loading requirements new provisions for buildings containing a mix of commercial and residential uses in a Planned Multi-Use Business Development and included as part of this amendment as Exhibit A.
(Public Hearing opened March 23, 2009, continued to April 13)
PUBLIC HEARING CONTINUED TO APRIL 27, 2009

#94-08

PLANNING & DEVELOPMENT BOARD, ALD. JOHNSON & LINSKY recommending the deletion of certain provisions and the addition of new provisions to regulate home businesses by amending Section 30-1, Definitions; Section 30-8, Use Regulations for Single Residence Districts; Section 30-8(b) and (c), Special Permits in Single Residence Districts; Section 30-9(b), Special Permits in Multi Residence Districts; Section 30-19(d), Number of Parking Stalls; and Section 30-20(e), Regulation of Signs in Residence Districts. The proposed amendments would revise or remove specific home occupations in the current definition of home businesses; modify the definition of home business; institute a registration requirement for some home businesses; allow multiple home businesses at the same residence provided that all home businesses combined do not exceed the limitations in the ordinance; revise the number of clients and employees non-resident to the business allowed on site at a given time without a special permit; amend and clarify limitations on storage, signage, and sale of merchandise; revise the list of prohibited neighborhood impacts; allow businesses in accessory apartments under certain circumstances; set a limit on the number of trips that may begin or end at a home business and the number of parking stalls demanded or utilized by the business without a special permit; revise the limit on the percentage of a dwelling unit that may be used for a home business without a special permit; require a special permit for home businesses involving the care and keeping of more than three animals; and revise the number of parking stalls required by a home business. **(Public Hearing closed 2/23/09; 90 days 5/21/09)**
APPROVED AS AMENDED 6-1 (Lappin)

REFERRED TO PROGRAMS AND SERVICES COMMITTEE

Wednesday, April 15, 2009

Present: Ald. Johnson (Chairman), Merrill, Hess-Mahan, Sangiolo, Brandel, Parker, Baker and Freedman; also present: Ald. Albright, Gentile, and Lennon

REFERRED TO PUB. SAF. & TRANS. AND PROG & SERV. COMMITTEES

#101-09

ALD. LENNON, CICCONE, SALVUCCI, GENTILE & JOHNSON requesting discussion and possible City acceptance of the provision of MGL Chapter 31, Section 58A: Municipal police officers and firefighters; maximum age restrictions, which would allow candidates who are veterans to exceed the maximum age provision for original appointment by the number of years of their military services, to a maximum of 4 years. [03/31/09 @8:08 AM]
PUBLIC SAFETY & TRANSPORTATION APPROVED 7-0 on 4/15/09
APPROVED 4-0 (Brandel, Freedman, Parker and Sangiolo not voting)

REFERRED TO PS&T, FINANCE AND PROG & SERV. COMMITTEES

- #273-04(3) ALD. GENTILE requesting a re-vote of a previously submitted Home Rule Petition approved February 20, 2007 by the Board of Aldermen for special legislation to reclassify the two "dedicated fire apparatus mechanic" positions from Group 1 to Group 2 in the State Retirement System. [02/13/09 @ 4:11 pm]
PUBLIC SAFETY & TRANSPORTATION MOTION TO APPROVE FAILED TO CARRY 3-3-1 (Fischman, Ciccone, Coletti in the affirmative; Harney, Danberg and Linsky opposed; Swiston abstaining) on 4/15/09
APPROVED 5-0-1 (Freedman abstaining; Brandel and Sangiolo not voting)
FINANCE TO MEET

- #64-09 TOM SHEFF et al. filing on February 17, 2009, a group petition pursuant to Section 10-2 of the City Charter for a public hearing to discuss appointing a group of volunteers to: analyze the functions of the Board of Aldermen; analyze the functions of employees at City Hall; and to lay the groundwork for any Charter Commission that is elected by the citizens of Newton in the near future. ***NB: Board action shall be taken not later than three months from the date the petition was filed with the City Clerk.***
 [02/17/09 @ 12:09 pm]
NO ACTION NECESSARY 8-0

Re-appointment by His Honor the Mayor

- #94-09 BRUCE HENDERSON, 42 Vaughn Avenue, Newton Highlands, re-appointed as a member of THE NEWTON COMMUNITY EDUCATION COMMISSION for a term to expire on June 30, 2011. (60 days: 6/05/09)
 [03/31/09 @ 10:47 AM]
APPROVED 7-0 (Baker not voting)

REFERRED TO PROG & SERV AND FINANCE COMMITTEES

- #98-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty one thousand seven hundred thirty two dollars (\$21,732) from Free Cash for the purpose of funding payments to the East Middlesex Mosquito Control Project (EMMCP) to conduct mosquito larva control in catch basins to control the spread of West Nile Virus. [03/31/09 @ 6:11 PM]
FINANCE APPROVED 7-0 on 4/15/09
APPROVED 8-0

#65-09 ALD. GENTILE, SALVUCCI, LENNON, CICCONE AND JOHNSON proposing a Resolution to His Honor the Mayor to reduce aldermanic salaries by 10% in the FY10 budget. [02/24/09 @ 9:31 AM]
NO ACTION NECESSARY 5-2 (Johnson and Merrill opposed; Sangiolo not voting)

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#87-09 ALD. SANGIOLO, BRANDEL, FREEDMAN AND HESS-MAHAN requesting a Home Rule Petition to allow the City of Newton to require elected officials to contribute a higher percentage rate for health insurance benefits than is required for other employee groups. [03-10-09 @ 9:17 AM]
APPROVED 5-1-1 (Baker opposed; Merrill abstaining; Parker not voting)
FINANCE TO MEET

#171-04(2) ALD. HESS-MAHAN requesting a re-vote of a previously submitted home rule petition approved February 20, 2007 by the Board of Aldermen for special legislation authorizing local voting rights for permanent resident aliens residing in Newton. [02/13/09 @ 4:11 pm]
APPROVED 6-0-2 (Brandel and Freedman abstaining)

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE

Wednesday, April 15, 2009

Present: Ald. Linsky (Chair), Ciccone, Swiston, Harney, Coletti, Danberg and Fischman;
 absent: Ald. Vance; also Present: Ald. Ald. Gentile, Lennon, Brandel and Sangiolo

REFERRED TO PUB. SAFETY & TRANS. AND FINANCE COMMITTEES

#174-08(2) PUBLIC SAFETY/TRANSPORTATION COMMITTEE proposing changes to the rate structure and/or enforcement hours for parking meters as well as installation of additional meters citywide.[06-18-08 @ 8:00 PM]
HELD 7-0

#134-08 ALD. LINSKY & DANBERG proposing that Ordinance Sections 19-194 and 19-195 be amended to standardize days and hours of enforcement of parking meters on-street and in municipal lots between the hours of 8:00 AM and 8:00 PM, Monday through Saturday. [4-08-08 @ 5:17 PM]
HELD 7-0

REFERRED TO PS&T., FINANCE AND PROG & SERV. COMMITTEES

- #273-04(3) ALD. GENTILE requesting home rule legislation to reclassify the two "dedicated fire apparatus mechanic" positions from Group 1 to Group 2 in the State Retirement System. [02/13/09 @ 4:11 PM]
PROGRAMS & SERVICES APPROVED 5-0-1 (Freedman abstaining; Brandel and Sangiolo not voting) on 4/15/09
MOTION TO APPROVE FAILED TO CARRY 3-3-1 (Fischman, Ciccone, Coletti in the affirmative; Harney, Danberg and Linsky opposed; Swiston abstaining)
FINANCE TO MEET

REFERRED TO PUB. SAF. & TRANS. AND PROG & SERV. COMMITTEES

- #101-09 ALD. LENNON, CICCONE, SALVUCCI, GENTILE & JOHNSON requesting discussion and possible City acceptance of the provision of MGL Chapter 31, Section 58A: Municipal police officers and firefighters; maximum age restrictions, which would allow candidates who are veterans to exceed the maximum age provision for original appointment by the number of years of their military services, to a maximum of 4 years. [03/31/09 @ 8:08 AM]
PROGRAMS & SERVICES APPROVED 4-0 (Brandel, Freedman, Parker, and Sangiolo not voting) on 4/15/09
APPROVED 7-0
- #153-06 ALD. SANGIOLO & HARNEY requesting a trial for a "Do Not Enter" on Hancock Street in Auburndale between Grove Street and Woodland Road from 7:45 a.m. – 8:45 a.m. and from 2:30 p.m. – 3:45 p.m. (proposed sign to be located on the corner of Woodland and Hancock).
APPROVED AS AMENDED 6-0 (Danberg not voting)

ITEM COMMITTED TO PUBLIC SAFETY & TRANS. COMM. on 6-7-05

- #202-03 ALD. SANGIOLO requesting revocation of parking restrictions on Hancock Street and also consideration of one-way for Hancock Street. (Ward 4). (traffic study pending)
Traffic Council approved as amended 5-27-04
NO ACTION NECESSARY 6-0 (Danberg not voting)

- #477-04 ALD. LENNON, GERST, MERRILL AND VANCE requesting traffic study/safety analysis of ST. JAMES STREET and CHARLESBANK ROAD, from the Mass Pike on-ramp at exit 17 to NONANTUM ROAD, Newton Corner. Analysis should include traffic improvements/safety enhancements to provide for increased pedestrian and vehicle safety in this very busy, densely populated area. Said study should also include review (and possible upgrade) of the traffic island and lights the intersection of ST. JAMES STREET/ST.JAMES TERRACE/CHARLESBANK ROAD as well as possible capital improvements for increased vehicular safety at the intersection of CHARLESBANK ROAD/NONANTUM ROAD.
HELD 6-0 (Danberg not voting)

REFERRED TO FINANCE COMMITTEE

Monday, April 13, 2009

Present: Ald. Coletti (Chair), Lennon, Freedman, Salvucci, Schnipper, Parker and Gentile; absent: Ald. Johnson

- #97-09 HIS HONOR THE MAYOR requesting authorization to accept and expend an additional six hundred three thousand five hundred thirteen dollars (\$603,513) in FY09 Community Development Block Grant funds and a grant of nine hundred twenty three thousand nine dollars (\$923,339) from the U.S. Department of Housing and Urban Development to fund the Homelessness Prevention and Rapid Re-housing Program made available through the American Recovery and Reinvestment Act of 2009. [03/31/09 @ 6:11 PM]
APPROVED 7-0

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #469-08 HIS HONOR THE MAYOR requesting to appropriate five hundred seventy five thousand dollars (\$575,000) from Free Cash to the School Department for the costs related to the conversion of the boilers at nine school buildings. The School Committee agreed to spend this amount from the school utility budget with the understanding that it would be restored once free cash became available. Including this sum, it is estimated that the school department will require a smaller supplemental appropriation to cover of heating this winter than would have been necessary without this conversion. [11-25-08 @ 4:58 PM]
PUBLIC FACILITIES APPROVED 7-0 on 12-17-08
APPROVED 7-0
- #353-08 ALD. COLETTI requesting monthly report by Executive Office before Post Audit and Oversight Committee on snow and salt expenditure from November 2008 through April 2009. [09-30-08 @ 1:54 PM]
NO ACTION NECESSARY 7-0

#352-08 ALD. COLETTI requesting discussion monthly reports from the Chief Budget Officer and Comptroller on the status of the Health Insurance Trust Fund. [09-30-08 @ 1:54 PM]

HELD 7-0

#98-09 **REFERRED TO PROG & SERV AND FINANCE COMMITTEES**
HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty one thousand seven hundred thirty two dollars (\$21,732) from Free Cash for the purpose of funding payments to the East Middlesex Mosquito Control Project (EMMCP) to conduct mosquito larva control in catch basins to control the spread of West Nile Virus. [03/31/09 @ 6:11 PM]

APPROVED 7-0

REFERRED TO POST AUDIT & OVERSIGHT COMMITTEE

Thursday, April 16, 2009

Present: Ald. Albright (Chairman), Lennon, Swiston, Harney, Coletti, Mansfield, and Schnipper

Absent: Ald. Freedman

Also present: Ald. Johnson and Sangiolo

#178-04(3) ALD. LAPPIN requesting a report from the Commissioner of Public Buildings regarding why no progress has been made on the implementation of the construction project database approved by the Board of Aldermen on April 20, 2004.

HELD 6-0 (Harney not voting)

REFERRED TO POST AUDIT & OVERSIGHT AND FINANCE COMMITTEES

#300-08 ALD. JOHNSON AND SWISTON requesting discussion with Mayor David Cohen and Superintendent Jeffrey Young as to the procedures that are in place to ensure accountability of their staff in respect to adherence to the authorization of purchasing and expenditures policy and procedures. [07-21-08 @ 9:03AM]

HELD 6-0 (Harney not voting)

#402-08 ALD. JOHNSON AND SANGIOLO requesting a discussion with the Executive Department as to how the tree funds are being collected and spent. [11-10-08 @ 8:53 AM]

NO ACTION NECESSARY 6-0 (Harney not voting)

#375-08 ALD. PARKER, JOHNSON, LINSKY AND SWISTON requesting follow-up discussion on the Payments-In-Lieu-of-Taxes (PILOT) budget resolution passed by the Board of Aldermen as part of the Fiscal year 2009 operating budget discussion. [10-14-08 @ 3:35 PM]

HELD 7-0