

DOCKET

Unless otherwise acted upon, all docket items listed herein will be referred to the 2010-2011 Board of Aldermen for referral to respective Committees.

Continued
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7:45 PM, Newton City Hall
MONDAY, DECEMBER 21, 2009

CITY OF NEWTON

IN BOARD OF ALDERMEN

- I. Communications from His Honor the Mayor and other City Boards, Agencies, and Commissions.

OTHER COMMUNICATIONS

- #401-09 ALD. DANBERG offering a TESTIMONIAL RESOLUTION honoring FROST MOTORS as it closes its doors after 75 years of doing business in the City of Newton.
- #402-09 ZONING & PLANNING COMMITTEE offering a TESTIMONIAL RESOLUTION honoring Planning & Development Director MICHAEL KRUSE.
- #403-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring City Solicitor DANIEL M. FUNK.
- #404-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring Public Buildings Commissioner A. NICHOLAS PARNELL.
- #405-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring Parks & Recreation Commissioner FRAN TOWLE.
- #406-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring ALDERMAN WILLIAM BRANDEL.
- #407-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring ALDERMAN GEORGE E. MANSFIELD.

- #408-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring ALDERMAN KENNETH R.L. PARKER.
- #409-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring ALDERMAN VERNE VANCE.
- #425-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring the Staff of the Executive Offices.
- #426-09 PRESIDENT BAKER & LENNON on behalf of the Board of Aldermen offering a TESTIMONIAL RESOLUTION honoring Health and Human Services Commissioner DAVID NAPARSTEK on his retirement.
- #427-09 PRESIDENT BAKER submitting his President's Report for Year-End 2009.

REFERRED TO ZONING & PLANNING COMMITTEE

Appointment by His Honor the Mayor

- #410-09 JOHN R. A. PEARS, 102 Parker Street, Newton Centre, appointed as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire December 1, 2012 (60 days 2/19/10).
- #411-09 ALD. DANBERG, MANSFIELD, PARKER requesting that §30-19(d)(13) be amended by adopting the Board of License Commissioners' current informal policies, which waive parking stall requirements for a set maximum number of seasonal outdoor seats in restaurants and require that indoor seats be temporarily reduced to compensate for any additional outdoor seats while they are in use, by establishing a by-right limit based on a proportion of existing indoor seats that will allow seasonal outdoor seats to be used without need for additional parking.

Public Hearing to be assigned for January 25, 2010:

REFERRED TO ZONING & PLANNING AND FINANCE COMMITTEES

- #412-09 HIS HONOR THE MAYOR requesting approval of an amended 121A Tax Agreement between the City of Newton and the New Falls Associates Limited Partnership ('the owner'), dated November 13, 2009, whereby the City will receive \$2,537,500 in deferred taxes upon the completion of refinancing by the owner and 41 affordable housing units will be extended for an additional 22 years, until 2040.

REFERRED TO PROGRAMS & SERVICES COMMITTEE

The following item was filed after the close of the docket and will require a suspension of the rules to be referred to committee:

#413-09 ALD. COLETTI & SALVUCCI proposing an amendment to the Rules & Orders of the Board of Aldermen to amend Article I, Section 2D, to read "The president shall serve as an ex-officio member of the Finance Committee with the right to vote in case of a tie vote, unless the president is appointed to serve as a regular member of the Finance Committee, then the vice president shall serve as an ex-officio member of the Finance Committee with the right to vote in case of a tie vote.

Appointment by His Honor the Mayor

#414-09 MARIAN KNAPP, 6 Bellingham Street, Newton Highlands, appointed as member of NEWTON COUNCIL ON AGING for a term to expire November 1, 2012 (60 days 2/19/10).

REFERRED TO PUBLIC FACILITIES COMMITTEE

Re-appointment by His Honor the Mayor

#415-09 LAWRENCE KAUFMAN, 134 Spiers Road, Newton Centre, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on December 1, 2012 (60 days 2/19/10). [12/04/09 @ 2:05 PM]

Re-appointment by His Honor the Mayor

#416-09 IRA KREPCHIN, 63 Craftsland Road, Newton Centre, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on December 1, 2012 (60 days 2/19/10). [12/04/09 @ 2:05 PM]

Re-appointment by His Honor the Mayor

#417-09 HALINA BROWN, Ph.D., 56 Cloverdale Road, Newton Centre, re-appointed as a member of the Newton Citizens Commission on Energy for a term to expire on December 1, 2012 (60 days 2/19/10). [12/04/09 @ 2:05 PM]

#418-09 ALD. ALBRIGHT requesting discussion with NStar Electric Company regarding standards for installing underground conduits and the possibility of providing additional conduit for future undergrounding projects.

REFERRED TO FINANCE COMMITTEE

- #385-08(2) HIS HONOR THE MAYOR requesting authorization to appropriate from Receipts Reserved for Appropriation to Conservation \$6,000 received from the Newton Marriott for improvements to Norumbega Park in accordance with condition #25 in special permit board order #385-08. [12/15/09 @ 5:06 PM]
- #419-09 HIS HONOR THE MAYOR requesting authorization to appropriate ten thousand dollars (\$10,000) from Budget Reserve for the purpose of settling a claim filed against the City of Newton due to damages sustained from sewage back up caused by actions of a subcontractor working for Dimeo Construction and ensuing actions on the part of City employees [12/15/09 @ 4:04 PM]
- #420-09 HIS HONOR THE MAYOR requesting acceptance of and authorization to expend a grant of seven hundred ninety-nine thousand six hundred dollars (\$799,600) from the U.S. Department of Energy to be used to replace the heating system in Cabot, Zervas Elementary Schools and Emerson Community Center; replace the automatic temperature control system in the Newton Free Library and replace the HVAC system in both the Crafts and Elliot Street Garages. [12/15/09 @ 4:05 PM]
- #421-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend nine thousand two hundred dollars (\$9,200) from Budget Reserve for the purpose of supplementing the Comptroller's expenses budget for auditing costs. [12/15/09 @ 4:05 PM]
- #422-09 MAYOR-ELECT WARREN requesting to create two full time positions in the Executive Department: a Performance Analyst (H09) and a Budget Analyst (H06) for seventy-seven thousand six hundred thirty-four dollars (\$77,634) from wage reserve to fund these two positions for the second half of this fiscal year. [12/15/09 @ 4:05 PM]
- #423-09 HIS HONOR THE MAYOR requesting authorization to appropriate and expend thirty thousand dollars (\$30,000) from Budget Reserve for the purpose of supplementing the banking services account in the Treasurer's Department. [12/15/09 @ 4:05 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#424-09 HIS HONOR THE MAYOR requesting that the budget for the Newton North High School construction project be amended by transferring from hard costs (construction) to soft costs the sum of Two million two hundred thirty-two thousand five hundred dollars (\$2,232,500) to focus resources on project oversight by the Project Manager and the Design team, as follows:

Project Manager.....	\$596,000
Building System Commissioning.....	\$40,000
Architectural Expenses	\$570,000
Consultant Expenses/testing.....	\$326,500
Furnishings.....	<u>\$700,000</u>
	\$2,232,500

[12/15/09 @ 4:04 PM]