



Programs & Services Committee Agenda

City of Newton **In City Council**

Wednesday, September 6, 2017

7:45PM

Room 211/Council Chamber

Items Scheduled for Discussion:

#275-17 Request to increase membership of Board of Library Trustees

HIS HONOR THE MAYOR requesting an amendment to Section 16-1 to increase the membership of the board of Library Trustees from 5-7 members. [08/28/17 @ 4:47 PM]

Referred to Programs & Services and Zoning & Planning Committees

#276-17 Ordinance amendments to allow food trucks

THE ECONOMIC DEVELOPMENT COMMITTEE, COUNCILORS FULLER, HESS-MAHAN, KALIS, LENNON, LIPOF, NORTON, AND SANGIOLO requesting to amend Chapter 17, Sections 17-46 through 17-50 to allow Food Trucks to locate and operate on public streets in Newton subject to licensing by the Health Department and to location permitting requirements, initially restricted to Wells Avenue; to introduce new rules applicable to all Food Trucks operating in the City; and requesting to amend Chapter 30 to allow Food Trucks in the Public Use District subject to the same restrictions and requirements. [08/24/17 @ 4:17 PM]

#208-17 Proposal to place a nonbinding advisory question on the ballot

PETER HARRINGTON, ET AL., requesting that the following non-binding question be placed on the November 7, 2017 municipal ballot: "Do you support rezoning village centers to allow four- and five-story mixed-use buildings near public transit with retail on the first floor and apartments above, as the City is recommending to update Newton's Zoning Ordinance for future growth?" [07/03/17 @ 2:59 PM]

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the City of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

A Public Hearing will be held on the following item:

- #137-17 Citizens Petition to discuss and repeal Welcoming City ordinance**
SANDE YOUNG ET AL. requesting discussion and to repeal Ordinance A-102, the Welcoming City ordinance, or put the ordinance before the voters in the next municipal election. [04/28/17 @ 11:57 AM]
- #265-17 Mayor's re-appointment of Bethel Charkoudian to the Parks & Recreation Comm**
BETHEL CHARKOUDIAN, 18 Maple Avenue, Newton, re-appointed as the Ward 1 member of the PARKS & RECREATION COMMISSION for a term to expire September 30, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:18 AM]
- #266-17 Mayor's re-appointment of Arthur Magni to the Parks & Recreation Commission**
ARTHUR MAGNI, 107 Mount Vernon Street, Newton, re-appointed as the Ward 2 member of the PARKS & RECREATION COMMISSION for a term to expire September 30, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:18 AM]
- #267-17 Mayor's re-appointment of Peter Kastner to the Parks & Recreation Commission**
PETER KASTNER, 49 Woodbine Street, Newton, re-appointed as the Ward 4 member of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:18 AM]
- #268-17 Mayor's re-appointment of Byron Dunker to the Parks & Recreation Commission**
BYRON DUNKER, 10 Southwick Road, Newton, re-appointed as the Ward 5 member of the PARKS & RECREATION COMMISSION for a term to expire September 30, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:18 AM]
- #269-17 Mayor's re-appointment of Andrew Stern to the Parks & Recreation Commission**
ANDREW STERN, 56 Tyler Terrace, Newton, re-appointed as the Ward 6 member of the PARKS & RECREATION COMMISSION for a term to expire September 30, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:18 AM]
- #270-17 Mayor's re-appointment of Richard Tucker to the Parks & Recreation Commission**
RICHARD TUCKER, 23 Woodman Road, Newton, re-appointed as the Ward 7 member of the PARKS & RECREATION COMMISSION for a term to expire September 30, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:18 AM]
- #271-17 Mayor's re-appointment of Patrick Palmer to the Parks & Recreation Commission**
PATRICK PALMER, 37 Arapahoe Road, Newton, re-appointed as an alternate member of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2019. (60 DAYS 11/4/17) [08/09/17 @ 11:18 AM]

- #272-17 Mayor's re-appointment of Jack Neville to the Parks & Recreation Commission**
JACK NEVILLE, 68 High Street, Newton, re-appointed as an alternate member of the PARKS & RECREATION COMMISSION for a term to expire September 30, 2020. (60 DAYS 11/4/17) [08/09/17 @ 11:18 AM]
- #273-17 Mayor's re-appointment of Michael Clarke to the Parks & Recreation Commission**
MICHAEL CLARKE, 1115 Beacon Street, #9, Newton, re-appointed as an alternate member of the PARKS & RECREATION COMMISSION for a term to expire September 30, 2019. (60 DAYS 11/4/17)[08/09/17 @ 11:18 AM]
- #274-17 Mayor's re-appointment of Sam Figler to the Parks & Recreation Commission**
SAM FIGLER, 63 Summer Street, Newton, re-appointed as an alternate member of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2018. (60 DAYS 11/4/17) 08/09/17 @ 11:18 AM

Items Not Scheduled for Discussion at this Meeting:

Referred to Programs & Services and Finance Committees

#259-17 Increase the number of years the City can lease Weeks House

HIS HONOR THE MAYOR requesting consideration of a request to petition the General Court for special legislation to increase the number of years the City of Newton is authorized to lease the Weeks House from the current period of sixty-five years, as authorized by the Acts of 1981, Chapter 330, to a period of up to ninety-nine years. [08/07/17 @ 2:23 PM]

#483-14 Resolution to promote cooperative programs with food establishments

PROGRAMS & SERVICES COMMITTEE proposing a RESOLUTION to promote a cooperative program with food establishments in the City, the Newton-Needham Chamber of Commerce, the Economic Development Commission, the Director of Economic Development and members of the Board of Aldermen, to find opportunities for these establishments to provide their food services for events in the City. [12/02/14 @ 3:56 PM]

#138-17(2) Request to place question of new Charter on the November ballot

CITY CLERK requesting the City Council, as required by MGL 43B, Section 11, order the Newton Charter Commission's proposed new charter to be submitted to the voters of the City of Newton for their approval on the November 7, 2017 municipal ballot. The ballot question to read: "Shall the City of Newton approve the new home rule charter recommended by the Charter Commission as summarized below: Yes. No." [06/14/17 @ 2:42PM]

#193-17 Rules amendment: Referral of business

CITY CLERK requesting a Rules amendment to Section 3, Referral of business to Committees, Item D by replacing the word "petition" in the first sentence with the words "docket item." [06/09/17 @ 4:02PM]

#194-17 Rescission of date and time notation on docket items

CITY CLERK requesting rescission of Council Order #369-06 ALD. JOHNSON requesting that all newly docketed items, when appearing on the new docket, shall include the date and time that the item was received by the Clerk's office and the name of the clerk who received the item. [06/09/17 @ 4:02PM]

#246-17 Citizens Petition requesting a resolution supporting later high school start time

JEFFREY PONTIFF ET AL. submitting a petition, pursuant to Section 10, Section 2 of the City of Newton Charter, requesting a Resolution from the City Council acknowledging the scientifically documented benefits of a later school time and supporting the Newton Public Schools to take action to delay high school start times.[07/28/17 @ 1:30 PM]

- #247-17** **Citizens Petition requesting measures limiting City Council action to city issues**
JANET STERMAN ET AL. submitting a petition, pursuant to Section 2 of the City of Newton Charter, for the City to adopt measures so that all new matters taken under discussion by the City Council pertain solely to the operation of the City; that all matters presented to the City Council pertaining to the operation of the Commonwealth of Massachusetts be referred to state Representatives and Senators representing the City of Newton; and that all matters pertaining to the operation of the United States federal government be referred to the United States Representatives and Senators representing Massachusetts. (90 days: 11/12/17) [07/31/17 @ 10:10 AM]
- #56-16** **Ordinance amendment to add statutory references to policy on housing practices**
COUNCILOR HESS-MAHAN requesting an amendment to Chapter 12, Section 50(b) *Policy of the city regarding housing practices*, to add statutory references to Title VI of the Civil Rights Act of 1964; the Americans with Disabilities Act; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act; and any other applicable state or federal laws that were inadvertently omitted from the current ordinance. [02/08/16 @ 1:51 PM]
- #300-16** **Ordinance to register lobbyists**
COUNCILORS COTE, NORTON AND HARNEY proposing an ordinance to register lobbyists in the City of Newton. [08/10/16 @ 3:11 AM]
- #158-16** **Ordinance to require notice on gas pumps relative to climate change**
COUNCILORS NORTON AND SANGIOLO requesting an ordinance that requires a notice posted on retail gas station pumps within the City of Newton that informs consumers that burning gasoline contributes to climate change; and a link to a City website page offering information regarding alternatives to gasoline powered transportation, including walking, biking, public transit and electric vehicles. [04/25/16 @ 9:02 AM]
- #31-15(6)** **Amendment to noise ordinance relative to leaf blowers**
COUNCILOR LEARY proposing to amend Chapter 20, Restrictions on use of leaf blowers, to specify permitted hours of use of electric and battery powered leaf blowers from Memorial Day through Labor Day and to exclude, at all times, the use of gasoline or fuel-based generators to charge leaf blower batteries or to power electric leaf blowers. [03/13/17 @ 3:26PM]
- #34-13** **Ordinance to prohibit polystyrene food/beverage containers**
ALD. DANBERG, ALBRIGHT, BLAZAR, RICE, LINSKY AND CROSSLEY requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments within the City. [01/03/13 @ 11:01 AM]

Referred to Programs & Services and Public Safety & Transportation Committees

- #46-17** **Discussion regarding how community policing works**
COUNCILOR ALBRIGHT requesting a discussion with the Chief of Police and/or members of his department to explain to the City Council how “community policing” works in Newton, how it differs from traditional policing, how staffing differs from traditional departments, and how it benefits Newton. [02/20/17 @ 3:21 PM]
- #363-16** **Amendment to the City Council Rules for yearly review of City Clerk’s salary**
PRESIDENT LENNON AND VICE PRESIDENT LAPPIN requesting an amendment to Article XI of the Rules and Orders of the City Council to require an annual review of the salary of the City Clerk/Clerk of the Council. [10/26/16 @ 3:58 PM]

Referred to Programs & Services and Public Facilities Committees

- #344-16** **Discussion regarding oversight of all city/school buildings to improve efficiencies**
COUNCILOR LAPPIN requesting a discussion regarding the Public Buildings Department overseeing all public buildings, including School Department facilities, to improve efficiencies. [10/07/16 @ 10:47 AM]
- #301-16** **Amendment to the Tree Preservation Ordinance**
COUNCILOR SANGIOLO requesting an amendment to the Tree Preservation Ordinance so that any tree removal requested by a city department be forwarded to the Urban Tree Commission and all tree removal requests under the Tree Preservation Ordinance be posted online to give residents and interested citizens notification. [08/09/16 @10:30 PM]
- #264-16** **Ord. requiring Councilor notice of and involvement in street tree waiver requests**
COUNCILORS HESS-MAHAN, NORTON, KALIS, COTE, DANBERG, HARNEY, SANGIOLO, LEARY AND YATES requesting an ordinance requiring that Councilors from each respective ward be given notice and a meaningful opportunity to object to granting a hardship waiver or permit to remove a street tree. [07/21/16 @ 11:40 AM]

Referred to Land Use, Programs & Services, and Finance Committees

- #256-16** **Request to extend notification area of notice for special permit petitions**
COUNCILORS COTE, NORTON, HARNEY, BLAZER, BROUSAL-GLASER, AND LEARY requesting an amendment to the City Council Rules, Article X; Section 6 – Additional Notification Requirements, to include that the area of notice for special permit petitions be expanded beyond the abutters to abutters within 300’ required by Massachusetts General Law Chapter 40A to also include property owners within 600’ of the subject property. This notification will apply to all classes of building except for residential 1 and 2-family units that will remain 1 or 2-family units after receiving a special permit. Only abutters to abutters within 300’ will be entitled to the rights conferred by Massachusetts General Law Chapter 40A [07/01/16 @2:09 PM]

Referred to Programs & Services and Public Facilities Committees

#141-15

Discussion on tracking the gas utility infrastructure in Newton

ALD. BROUSAL-GLASER, SANGIOLO, HESS-MAHAN, COTE, NORTON AND ALBRIGHT

requesting a discussion with *the Director of Urban Forestry*, a representative of the Department of Public Works and a representative of the Law Department about tracking and improving the condition of the gas utility infrastructure in Newton, new state statutes governing infrastructure repairs, coordination of increased repair work with city operations, the status of negotiations with National Grid to compensate for tree deaths resulting from gas leaks, and the possibility of creating a utilities working group to monitor progress on these and related issues.

05/26/15 @ 2:53 PM]

Referred to Programs & Services and Public Facilities Committees

#201-15

Discussion of the condition of the Kennard Estate on Dudley Road

ALD. SANGIOLO requesting a discussion with the Commissioner of Public Buildings, the Commissioner of Parks and Recreation, and the Executive Department regarding the condition of the property located at 246 Dudley Road (Kennard Estate) and how much, if any, repairs and upgrades will be needed as the City relocates the Parks and Recreation Department to that location. [09/01/15 @ 4:00 PM]

Referred to Programs & Services and Finance Committees

#216-14

Ordinance amendment for notification of vacancy of unit and/or condo conversion

ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, NORTON AND SANGIOLO

proposing the following amendments to Chapter 12 Health and Human Services of the Revised Ordinances to:

- require owners of dwellings requiring a Certificate of Habitability under Section 12-1 and real estate agents/brokers who receive compensation in connection with the particular real estate transaction to notify the Commissioner of Health and Human Services whenever an apartment, tenement, or room in a lodging house is vacated by the occupant or when an area in an existing building is converted to a condominium prior to being reoccupied by a new tenant, lodger or occupant;
- require educational institutions to disclose addresses of undergraduates living off-campus in Newton;
- require a fee for certification; and
- impose a fine for violation of these provisions. [05/14/14 @11:51 AM]

FINANCE VOTED NO ACTION NECESSARY 7-0 12/14/15

#398-13

Discussion of complementary ordinance or regulations for Marijuana Dispensaries

ALD. BAKER & DANBERG requesting a discussion of a possible ordinance, regulations or otherwise, to complement zoning regulation of any licensed Registered Marijuana

Dispensaries to respond to any secondary impacts so as to make the operation of such dispensaries as successful as possible. [10/28/13 @ 10:00 AM]

UPDATE ITEMS:

Referred to Programs & Services Committees and Public Facilities

- #12-17** **Request for updates on the Library Expansion Project**
COUNCILORS CROSSLEY, ALBRIGHT AND BLAZAR requesting periodic updates from the Library Trustees and Library Director on the Library expansion project. [01/03/2017 @ 3:55 PM]

Referred to Programs & Services Committees and Public Facilities

- #13-17** **Request for updates on the Archive Expansion Project**
COUNCILORS CROSSLEY, ALBRIGHT, AND BLAZAR requesting periodic updates from the City Clerk on the Archives expansion project. [01/03/2017 @ 3:56 PM]

Referred to Programs & Services and Public Facilities Committees

- #27-16** **Updates from the Administration on the renovations at the Aquinas site**
PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES requesting that the School Department and/or Executive Department provide updates on removal of asbestos and other toxic materials that were identified at the Aquinas site, the scope and timing of window replacement in particular, and renovations that may be necessary to facilitate short and long-term plans for uses and operations at the site. [01/10/16 @ 1:14 PM]

Referred to Programs & Services and Public Safety & Transportation Committees

- #312-15** **Update from Health Department on opiate overdose epidemic**
ALD. COTE, HARNEY AND NORTON, requesting a review and discussion of the opiate overdose epidemic including an update from the Health Department appraising the board on the current situation to include comparative statistics from previous years as to the number of opiate overdoses handled by first responders. In addition, what is being done immediately to take this on and what support can the Board provide
- #377-14** **Discussion of proposed changes of use of the Senior Center**
THE PROGRAMS & SERVICES COMMITTEE requesting a discussion with the Director of Senior Services, the Council on Aging and the Executive Department relative to changes in the use of the Senior Center at 345 Walnut Street. [10/16/14 @ 5:43 PM]

Referred to Programs & Services and Public Facilities Committees

- #119-14** **Update from Inspectional Services on ADA compliance of City properties**
ALD. ALBRIGHT AND CROSSLEY requesting discussion with the Inspectional Services Department to explain the development of short and long term plans to identify

and correct buildings, sidewalks, playgrounds, etc., that do not conform to American Disability Act (ADA) standards. The discussion should include information on how improvements will be incorporated into the Capital Improvement Plan or if less than \$75,000 into a comprehensive budget plan to correct ADA deficiencies. [03/12/14 @ 4:18 PM]

Respectfully Submitted,

John B. Rice, Chair

Chapter 16

LIBRARY***Sec. 16-1. Composition of board of trustees; appointment and terms of members; duties generally.**

(a) The board of trustees of the Newton Free Library shall consist of ~~five (5)~~ **seven (7)** persons who shall have charge of all the affairs of the Newton Free Library and its branches. Such members shall be appointed by the mayor, subject to confirmation by the board of aldermen. The term of office of the members of such board shall be five (5) years and shall be staggered so that one trustee's term shall expire each June 30. Trustees shall continue to serve after expiration of their terms until their successors shall be duly appointed and qualified. Trustees in office on the effective date of passage of this ordinance shall serve until the end of their current terms and until their successors shall be appointed to serve terms of five (5) years or less to conform to the five-year staggered term system. Length of the interim terms shall be at the discretion of the mayor provided they conform to the staggered term system and five-year limitation. Trustees shall serve no more than two consecutive five-year terms; provided that trustees in office on the effective date of passage of this ordinance may serve until the end of their current terms if they have already served two or more consecutive five-year terms.

(b) The board of trustees of the Newton Free Library shall have the general care and control of the library, the interior of the building, its fixtures and furniture and the expenditure of all money appropriated therefor. It may make such rules and regulations for the use of the books and the reading room and fix and enforce such penalties for their violation as it deems expedient, subject at all times to such limitations, restrictions and amendments as the board of aldermen may direct. This section shall apply to the several branches of the library for which provision is made in whole or in part by the city government. (Rev. Ords. 1973, § 10-1)

* **Cross references**—Administration generally, Ch. 2-

State law reference—Authority to appropriate for library, G.L. c. 40, § 5



Setti D. Warren
Mayor

City of Newton, Massachusetts
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Barney Heath
Director

MEMORANDUM

DATE: September 1, 2017

TO: Councilor John Rice, Chairman
Members of the Programs and Services Committee

FROM: Barney Heath, Director, Department of Planning and Development
James Freas, Deputy Director

RE: #276-17 – THE ECONOMIC DEVELOPMENT COMMISSION, COUNCILORS FULLER, HESS-MAHAN, KALIS, LENNON, LIPOF, NORTON, AND SANGIOLO requesting amendments to Sections 17-46 through 17-50 in order to allow Food Trucks to locate and operate on public streets in Newton subject to licensing by the Health Department and to location permitting requirements, initially restricted to Wells Avenue; and introducing new rules applicable to all Food Trucks operating in the City; and requesting amendments to Chapter 30 to allow Food Trucks in the Public Use District subject to the same restrictions and requirements.

MEETING DATE: September 6, 2017

CC: City Council
Planning and Development Board
Economic Development Commission
Donnalyn Kahn, City Solicitor
Deborah Youngblood, Commissioner of Health & Human Services
Kathryn Ellis, Economic Development Director

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Over the last several years the Food Truck movement has grown in Boston and its suburbs, increasingly viewed as an exciting new food option. For Newton, allowing food trucks on Wells Avenue could be a relatively simple way to bring a degree of street vitality to the office park while also introducing a greater diversity of much needed food amenities, all of which serves to make the park more interesting for an innovation industry workforce and therefore more attractive as a location for the kinds of tech companies the City is seeking to attract in the N² Innovation District. The

proposed ordinance provides a regulatory structure for allowing food trucks at Wells Avenue and other underserved areas of the City in the future should the program prove successful.

Food Truck Research

Interest in food trucks as a means to bring variety into food amenity choices has risen dramatically across the United States over the last decade. Beginning with a few pioneering cities, the idea has expanded to cities of all sizes and, increasingly, into the suburbs. Close to Newton, Boston, Cambridge, Somerville, Brookline, and Needham have all passed ordinances to encourage food trucks in some manner in their respective municipalities. Overall, the findings seem to point to a range of benefits in promoting food trucks in a community.

Food trucks are literally trucks with on-board food preparation. What distinguishes the modern concept of food trucks from those of the past is a focus on often innovative or unique food offerings with a specialized and limited menu. This sense of variety and innovation is what has made the food truck movement so popular, particularly amongst young professionals. The mobility coupled with this specialization and variety offered by food trucks has led to some interesting research findings including from a 2015 study by the Federal Reserve, “that food trucks did not simply cannibalize the market for brick-and-mortar restaurants, but actually expanded the market for food-away-from-home by increasing the net variety of available food options.”

An interesting trend in the food truck industry that has become apparent as the movement has matured is that of highly successful food trucks transitioning into brick and mortar restaurants. Effectively, the food truck approach becomes a form of business incubator for innovative restaurant ideas as well as a way for a potential restaurant operator to relatively simply test locations. Locally, the food truck Bon Me has opened several brick and mortar locations, including one in Chestnut Hill and the food truck Clover has similarly opened multiple locations but further, has now discontinued its food truck business in order to focus on its restaurant locations.

Generally, many communities have opted to allow food trucks in so-called “underserved” locations where there are limited restaurant or food amenities available and for the foreseeable future, that appears to be the recommended course. As an example, Boston permits food trucks only in specified locations and Needham has only allowed food trucks in the Needham Crossing business park. Some communities have created highly successful food truck courts.

The issue of whether food trucks collect the meals tax and where the local portion of that tax goes is an important one that staff is currently working with the Department of Revenue to resolve. Food trucks do collect meals tax. Under DOR rules, they are treated as a “transient vendor”. There are two types of transient vendor under these rules – those with a fixed location such as a food vendor at fair or special event, and those that drive around like an ice cream truck or a canteen. Fixed location meals taxes go to the host community while the drive around meals taxes collected go to the community where the business is located. DOR has to-date treated food trucks as a drive-around vendor. City staff have begun discussions to update these rules, reflecting that, under Newton’s, and most other food truck ordinances, the food trucks operate from fixed locations, and therefore, the local portion of the meals tax should come to the City.

Current Ordinance

Newton currently regulates food trucks under the regulations governing “hawkers and peddlers”. Most significantly, a food truck under these rules must move every five minutes a minimum of 250 feet unless actively serving customers. Further, these trucks are prohibited from business districts or operating within 1000 feet of schools, the Crystal Lake bathhouse, and the McGrath Pool. Rules similar to these are common in the area and effectively prohibit modern food trucks from operating in Newton. Ice cream trucks and canteen trucks currently operate in Newton under these rules.

Beyond the rules above, Food Trucks operate in the City under a variety of different rules, which the proposed ordinance will largely leave intact. For example, many special event vendors happen to use food trucks, licensed by the Health Department. Similarly, businesses or residents can hire a food truck operator as a caterer for their private event. All existing licensing by the Health Department, as it applies to food trucks, will remain the same.

Proposed Ordinance

The proposed Food Truck Ordinance creates a food truck location permitting program, establishes new rules for food trucks, and for the first time identifies food trucks as a use in the Zoning Ordinance. The following provides greater detail on the proposed ordinance by section and a draft of the proposed ordinance is attached.

Sec 17-46 – Defines food trucks. This definition is based on that used in several communities in the region. In using the term “food establishment”, the definition connects directly to the health code.

Sec. 17-47 – This section confirms that a license from Newton’s Health Department is required in order to operate a food truck in Newton under this program.

Sec 17-48 – This section establishes that the Planning Board approves locations proposed to locate food trucks. As proposed, the Planning Board will conduct an annual public hearing following which the Board would approve the specific food truck locations for that year, with the limitation that they would only be able to consider locations on Wells Avenue for the first three years of the program. The Planning Board would consider whether a location is underserved by existing food amenities and safety issues tied to the specific locations on a given street. Only commercial areas would be considered.

Sec 17-49 – This section establishes a food truck location permit program in the Planning Department. The Department would be responsible for approving the food trucks that apply to operate in the locations approved by the Planning Board according to Section 17-48. The application requirements are listed.

Sec 17-50 – This section provides a list of rules for all food trucks meant to address potential nuisance concerns and ensure safe and environmentally sound operation. To those ends, food truck operators are required to manage litter, control noise, limit encroachment into the sidewalk, and use environmentally friendly products and operations where possible.

Chapter 30 – Zoning Ordinance – The purpose of the zoning amendments is to establish food trucks as an allowed accessory use in the Public Use District. Newton’s streets are zoned Public Use. In defining this use and allowing it under these requirements in the Public Use District, the City is clarifying by extension that food trucks are not allowed on private property in other districts outside of special events or catering type situations. All of the requirements outlined above still apply.

Next Steps

The food trucks ordinance will be taken up by ZAP on September 11th. ZAP will also need to conduct a public hearing on the Zoning Amendments.

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Food Truck Ordinance

Chapter 17 – Licensing and Permits Generally

Article III. Hawkers, Peddlers, Food Trucks and Canvassers

Division 3. Food Trucks

Sec. 17-46. Food Trucks Defined

A readily movable trailer or motorized wheeled vehicle, currently registered with the Massachusetts Division of Motor Vehicles, designed and equipped to cook, prepare, and/or serve food for human consumption as a mobile food establishment.

Sec. 17-47. License Required

No food truck may operate without a license issued by the Commissioner of Health and Human Services. The license shall specify the location and duration of operation the mobile food vendor is permitted to operate, as permitted below.

Sec. 17-48. Food Truck Locations

On-street food truck locations, or other public property locations, will be determined each year by the Planning Board following a public hearing. Once determined, individual food truck operators may apply for a permit to operate a food truck on public property for one of the identified locations. Locations will be considered based on the following criteria:

1. Only allowed in commercial areas.
2. Underserved location in terms of the availability of food service establishments.
3. Safety of the proposed locations.

Until January 3, 2021, the Planning Board shall only consider Food Truck locations on Wells Avenue.

Sec. 17-49. Permit to Operate on Public Property

In addition to the license required in Sec. 17-47, a food truck operator wishing to operate on-street or on other public property locations must obtain a permit from the Department of Planning and Development and shall submit a permit application on a form provided by said Department, which at a minimum shall include:

1. A description of the business;
2. Proposed location and schedule during which time the vendor will be stationary and serving food;
3. Description of the Food Truck's presence on the street including any signs or objects that will be proposed to be placed on the sidewalk.
4. Proof that the vehicle has passed all necessary inspections required by the Newton Fire Department

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5. Proof of a general liability policy in effect during all days and times for which a permit is sought that names the City as an additional insured and is in a form and for an amount approved by the City;

Such a permit exempts the permitted food truck from other City requirements for Hawkers and Peddlers in sections 17-22 through 17-45. Should the number of permit applicants exceed available locations, the Director of Planning and Development shall create an equitable distribution of available locations among qualified applicants. The Director has the authority to not issue a permit based on legitimate public objectives to diversify food truck offerings in an area or due to issues related to past operations of the Food Truck vendor. No permitted Food Truck shall cease operations during the period covered by the permit without notifying the Department of Planning and Development.

Sec. 17-50. Food Truck Rules

The following requirements shall apply to all food trucks operating in the City.

1. All food truck operators must comply with all applicable federal, state, and local laws, regulations, and by-laws, any conditions on a City license or permit, and any applicable City policies, procedures, standards and guidelines. All licenses are issued subject to the licensee's compliance with this Section and these regulations. Licensees shall supply such information as the City or its agent may require for purposes of the proper enforcement of these regulations. The City or its agent, including the Police and other inspectional departments, may at any time inspect the premises to which the license applies to determine whether the licensee is in compliance with this Section.
2. No food truck shall provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters.
3. All food truck operators shall offer a waste container(s) for public use that operators shall empty at their own expense. The food truck operator shall inspect all adjacent streets and sidewalks within 100 feet regularly for purposes of removing any litter found.
4. Food trucks are encouraged to provide consumers with compostable or recyclable single service articles, such as compostable forks and paper plates, and a waste, recycling container, and composting container for their disposal. No Styrofoam products or plastic bags are permitted.
5. No food truck shall make or cause to be made any unreasonable or excessive noise in violation of section 20-13 et seq.
6. Grease and grey water must be contained and disposed of in accordance with State Sanitary Code.
7. Food trucks shall be limited to no more than 25 feet in length.
8. For food trucks on public property, the City reserves the right to require a food truck operator to temporarily move a food truck to a nearby location if the approved location needs to be used for emergency purposes, snow removal, construction, or other public benefit.
9. Food trucks must conspicuously display their license and any required permit on the windshield of the truck.

DRAFT

10. No mobile food vendor licensee may transfer a mobile food vendor license except upon application to and approval by the Health and Human Services Commissioner of the transfer.

Division ~~34~~. Solicitors and Canvassers

Chapter 30: Zoning Ordinance

Sec. 6.7 Accessory Uses

6.7.X Food Trucks

A. Intent. Food Trucks are intended to advance the following:

1. Bring variety to the availability of local food establishments;
2. Add vibrancy and interest to the street life of a district;
3. Encourage the advancement of new restaurants and food service businesses by serving as a form of business incubator for new restaurant ideas in a start-up phase; and
4. Create food options and amenities for underserved locations in the City.

B. Food Trucks Defined. Defined in City Ordinances Sec 17-46.

C. Rules for Food Trucks.

1. In the Public Use District, Food Trucks can locate on public streets, parkspace, and parking lots as identified by the Planning Board according to City Ordinances Sec 17-48. Food Trucks are allowed on public land as part of a special event with a license from the Health Department.
2. A food truck shall not remain parked overnight.
3. A Food Truck is not required to provide parking.
4. A Food Truck must meet all of the requirements of City Ordinances sections 17-47 through 17-50.
5. A Food Truck operating as part of a special event or in a catering capacity for a private function is allowed in all districts subject to a license from the Health Department.



CITY OF NEWTON, MASSACHUSETTS

Economic Development Commission

September 6, 2017

Setti D. Warren
Mayor

Barney S. Heath
Director
Planning & Development

Commissioners
Joyce Plotkin, Chair
Robert Finkel, Vice Chair
Chuck Tanowitz, Secretary

Howard Barnstone
Stephen Feller
Jeremy Freid
Groot Gregory
Jane Ives
Jack Leader
Peter Kai Jung Lew
Philip Plottel

1000 Commonwealth Ave.
Newton, MA 02459
T 617/796-1120
F 617/796-1142

Twitter: @newtonecondev

City Council
City of Newton
1000 Commonwealth Avenue
Newton MA 02459

Re: Food Truck ordinance

Dear City Councilors:

The Economic Development Commission (EDC) is pleased to provide this letter of support for the food truck ordinance currently before you. As an advisor to the Mayor and City Council on economic development issues, the EDC's mission is to promote and encourage the development of new and existing businesses within Newton, thereby increasing its commercial tax base and economic vitality.

The motivation to file this docket item was the result of conversations with CEOs of companies located in Wells Office Park who identified increased food options as a key factor in attracting and retaining employees. Given the paucity of walkable options in the office park, we believe that food trucks will help to meet the needs of employers and employees, provide a greater variety of food options, add to the vibrancy of the park, and take advantage of a food trend that is extremely appealing to the kind of employees that these companies seek to attract. This is especially important as that area of the city is engaged in an effort to attract members of the innovation economy.

The food truck ordinance is a joint effort of the EDC and the Planning Department. Others involved in the process included city councilors, city officials, restaurant owners, Wells Office Park property owners, and members of the business community. The ordinance clearly covers such issues as vendor selection, licensing, locations, and operating requirements. Stakeholders agreed that the ordinance should initially allow for food trucks ONLY in Wells Office Park. It further provides that the food truck restriction

CITY OF NEWTON, MASSACHUSETTS
Economic Development Commission

to Wells Office Park will end in 2021 opening up the opportunity for the city to designate other locations in commercial areas that are similarly underserved in terms of food options.

While the EDC is the initiator of this ordinance, it is grateful for the support of the following City Council co-docketers: Ruthanne Fuller, David Kalis, Richard Lipof, Theodore M. Hess Mahan, Scott Lennon, Emily Norton, and Amy Sangiolo.

We believe that the time is right to bring food trucks into our city's only office park. As Wells Avenue property owners envision a revitalization of the office park, as we seek to recruit businesses that fit in with the character of our city, as we continue to build the foundation for an innovation economy, and as our neighbors in Brookline and Needham allow for food trucks in certain locations, we believe that food trucks in Wells Avenue are a necessary addition that help to make Newton an attractive and competitive location for business.

We ask for your support for the food trucks in Wells Avenue ordinance. Thank you for your consideration.

Sincerely,

Joyce Plotkin
Chair of the Economic Development Commission

and

EDC Members: Howard Barnstone, Steve Feller, Rob Finkel, Jeremy Freid, Groot Gregory, Jane Ives, Jack Leader, Peter Kai Jung Lew, Philip Plottel, and Chuck Tanowitz

A Petition to the Newton City Council to place a nonbinding public opinion advisory question on the ballot for the regular Newton municipal election in November, 2017 as permitted under MGL c. 53, §18A.

Question:

"Do you support rezoning village centers to allow four- and five-story mixed-use buildings near public transit with retail on the first floor and apartments above, as the City is recommending to update Newton's Zoning Ordinance for future growth?"

Signature	Name	Address
1. <i>Peter F Harrington</i>	Peter F Harrington	157 Lowell Ave
2. <i>Susan Reiser</i>	Susan Reiser	11 Clifton Place
3. <i>Kathryn Hearn</i>	Kathryn Hearn	21 Clifton Place
4. <i>Thomas Tucker</i>	Thomas Tucker	157 Lowell Ave
5. <i>Maura Harrington</i>	Maura Harrington	157 Lowell Ave
6. <i>Margaret R. Diffenderfer</i>	Margaret R. Diffenderfer	230 Walnut St, Apt 18
7. <i>Jeffrey J Kays</i>	Jeffrey J Kays	957 Washington St
8. <i>Margaret L Ward</i>	Margaret L. Ward	957 Washington St
9. <i>Dianne Sanborn</i>	DIANNE SANBORN	48 CIRCUIT AVE
10. <i>James Pacheco</i>	JAMES PACHECO	48 CIRCUIT AVE
11. <i>Nell P. Kisiel</i>	NELL P. KISIEL	87 Lewis St.
12. <i>Pawel Kisiel</i>	PAWEŁ KISIEL	87 LEWIS ST
13. <i>Colleen Minaker</i>	Colleen Minaker	32 Bemis St.
14. <i>Matthew P. Harrington</i>	MATTHEW P. HARRINGTON	157 LOWELL AVE
15. _____	_____	_____

Reasons for the request:

This petition is requested under the provision of MGL c.53, §18A that says, in part, "A nonbinding public opinion advisory question may be placed on the ballot for a regular municipal election in any city or town no later than the thirty-fifth day preceding such election: by vote of the city council of such city, with approval of its mayor where so required by the city charter; ..."

It is more likely than not that the 2017 municipal election will have a higher voter turnout than the last three municipal elections because of the mayoral contest and the charter ballot question.

This is an opportunity to give the widest selection of voters an opportunity to express a non binding opinion on a substantive issue concerning the expansion of our city and the urbanization of our villages.

It will also be an opportunity to identify the precincts in which voters support the concept of increased residential density and change to the commercial aspect of their Village. This information should be useful to implementing the new Mayor's housing increase strategy.

Chapter 53, Section 18A Section 18A. As used in this section "governing body" shall mean, in a city, the city council acting with the approval of the mayor subject to the provisions of the charter of said city, in a town having a town council, the town council, and in every other town the board of selectmen.

A nonbinding public opinion advisory question may be placed on the ballot for a regular municipal election in any city or town no later than the thirty-fifth day preceding such election: by vote of the city council of such city, with approval of its mayor where so required by the city charter; by vote of the board of selectmen of a town or by vote of the town council of a town having a town council or by vote of the annual town meeting; or in conformity with the following provision of this section:

A proposal to place a nonbinding public opinion advisory question on the ballot for a regular municipal election in any city or town may be presented to the governing body thereof on a petition signed by at least ten registered voters of the city or town. If such governing body shall not approve said petition at least ninety days before said election, then the question may be so placed on said ballot when a petition signed by at least ten per cent of the registered voters of the city or town, but in no case less than twenty such voters, requesting such action is filed with the registrars, who shall have seven days after receipt of such a petition to certify the signatures. Upon certification of the signatures, the city or town clerk shall cause the question to be placed on the ballot at the next regular municipal election held more than thirty-five days after such certification.

The procedures established by this section shall be available to any city or town; provided, however, that if an alternative procedure is prescribed by a home rule charter, optional plan of government, or special act applying to such city or town, relative to the placing of public opinion questions upon the local ballot, then such alternative procedure shall apply.

Chapter 127 of the Acts of 2014

AN ACT AUTHORIZING THE CITY OF NEWTON TO PLACE AN ADVISORY QUESTION ON THE BALLOT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the city of Newton may place a non-binding public opinion advisory question on the ballot for either a regular or special municipal election under the procedures established by section 18A of chapter 53 of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved, June 6, 2014.

MGL. Chapter 53; Section 18A: Nonbinding public opinion advisory questions on local ballots

Section 18A. As used in this section "governing body" shall mean, in a city, the city council acting with the approval of the mayor subject to the provisions of the charter of said city, in a town having a town council, the town council, and in every other town the board of selectmen.

A nonbinding public opinion advisory question may be placed on the ballot for a regular municipal election in any city or town no later than the thirty-fifth day preceding such election: by vote of the city council of such city, with approval of its mayor where so required by the city charter; by vote of the board of selectmen of a town or by vote of the town council of a town having a town council or by vote of the annual town meeting; or in conformity with the following provision of this section:

A proposal to place a nonbinding public opinion advisory question on the ballot for a regular municipal election in any city or town may be presented to the governing body thereof on a petition signed by at least ten registered voters of the city or town. If such governing body shall not approve said petition at least ninety days before said election, then the question may be so placed on said ballot when a petition signed by at least ten per cent of the registered voters of the city or town, but in no case less than twenty such voters, requesting such action is filed with the registrars, who shall have seven days after receipt of such a petition to certify the signatures. Upon certification of the signatures, the city or town clerk shall cause the question to be placed on the ballot at the next regular municipal election held more than thirty-five days after such certification.

The procedures established by this section shall be available to any city or town; provided, however, that if an alternative procedure is prescribed by a home rule charter, optional plan of government, or special act applying to such city or town, relative to the placing of public opinion questions upon the local ballot, then such alternative procedure shall apply.

Discuss and Repeal "Welcoming City Ordinance" A-102
 or Put this ordinance before the voters in the next
 municipal election.

#137-72

Official use ONLY	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	NOW REGISTERED AT Street and Number	WARD	PRECINCT
29	✓ Sandy Young	18 Karen Rd	5	3
30	✓ Dorothy (Sullivan)	5 Crescent Sq	1	2
31	✓ Don	5 Crescent Sq	1	2
32	✓ Robert A Conley	1071 Beacon St	6	4
33	✓ Virginia Gardner	48 William St	4	4
34	✓ George Gardner	48 William St	4	4
35	✓ Nadine Lindzen	301 Lake Ave. Newton, MA	6	3
36	✓ Elizabeth	174 Adams St. #6 Newton	1	
37	✓ [Signature]	371 [unclear] Rd	2	1
38	✓ Robert [unclear]	18 Elmhurst Rd	3	1
39	✓ [Signature]	16 Pembroke St	3	1
40	✓ Lois Charles	61 Northgate Park	3	3
41	✓ Judith M. Toran	61 Northgate Park	3	3
42	✓ [Signature]	118 McCarthy Rd.		
43	✓ [Signature]	11 TAMARAC RD	5	1
44	T Susan Huffman	27 INDIANA TERRACE	5	1
45	✓ [Signature]	67 Walnut Hill Rd	6	2
46	✓ [Signature]	117 [unclear] Rd	8	3
47	✓ [Signature]	27 Indiana Ter	5	1
48	✓ [Signature]	1977 Beacon St	5	4
49	✓ [Signature]	1977 Beacon St	5	4
50	✓ [Signature]	10 Rose Drive W. Newton		

51

21

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 Newton City Clerk
 2017 JUL -5 PM 3:43
 David A. Olson, CMC
 Newton, MA 02459

Discuss and Repeal "Welcoming City Ordinance" A-102
or Put this ordinance before the voters in the next
municipal election.

#137-72

Gov. Petition

Official use ONLY	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	NOW REGISTERED AT Street and Number	WARD	PRECINCT
29	✓ Joshua Gary Norman ^{Joshua Gary}	36 Rowe Street	4	4
30	✓ George E. Withington	63 Bigelow Rd. W. Newton	2	3
31	✓ S.M. Geste	50 WILDWOOD AVE	3	1
32	✓ David Rini	96 BROOKLINE ST	8	2
33	✓ Barbara Lombardi	905 Wttertown St 02465	3	1
34	✓ Lucretia Lombardi	905 Wttertown St. 02465	3	1
35	✓ Larry Young	18 Karen Rd	5	3
36	✓ Susan Szescila	7 Leewood Rd 02461	8	3
37	✓ John Kashi	7 Clifton Rd		
38	✓ Tracie Marshall	100 Chestnut St.	3	2
39	✓ Robert Mail	100 Chestnut St	3	2
40	✓ Richard A. Melby	301 Lake Ave.	6	3
41	N Richard Gonsore	210 Mahanta St		
42	✓ William Tect	32 Oldham Road	3	2
43	✓ Gennady Malin	11 Howe Rd	8	1
44	✓ Al Cocchielli	224 Chapel St	1	1
45	✓ Janet Stearns	129 Church St	1	3
46	✓ Susan Hoffman	27 INDIANA TERRACE	5	1
47	✓ Charles Gills	1011 Washington St	3	1
48	N Ken Bell	Andover, MA		
49	✓ Alan Pfeiffer	327 CABOT ST N. VILLE	2	3
50	✓ Sheila W. Robbins	300 Prince St W. Newton	3	2

20

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Newton City Clerk
2017 JUL -5 PM 3:43
David A. Olson, CMC
Newton, MA 02459

Discuss and Repeal "Welcoming City Ordinance" A-102
or Put this ordinance before the voters in the next
municipal election.

#137-72

Official use ONLY	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	NOW REGISTERED AT Street and Number	WARD	PRECINCT
29	✓ John Buck	10 Rose Drive W. Newton		
30	✓ Joni Stern	575 Watertown St Newton	2	1
31	T Jan Hoffman	27 Indianer Ter	5	1
32	✓ Michael Merserstein M.L. Mz	142 Montox St 02459		
33	✓ [Signature]	142 Montox St 02459		
34	✓ Sarah Romano	6 Anthony Rd 02460		
35	✓ Thor Helgason	872 Watertown St.	3	1
36	S Nelly Rong	Wellesley		
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Newton City Clerk
2017 JUL -5 PM 3:43
David A. Olson, GMC
Newton, MA 02459

Discuss and Repeal "Welcoming City Ordinance A-102"
 or put this ordinance before the voters #137-72a
 municipal election.

Official use ONLY	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	NOW REGISTERED AT Street and Number	WARD	PRECINCT
29	✓ <i>Ralph M. Stanley</i>	<i>11 Kimball Lane 23</i>		
30	✓ <i>Bessella H Stanley</i>	<i>11 Kimball Lane</i>	<i>2</i>	<i>3</i>
31	✓ <i>Charles N. Shapiro</i>	<i>67 Walnut Hill Rd.</i>	<i>2</i>	<i>2</i>
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 David A. Olson, GMC
 Newton, MA 02459
 31

#443-16(3)

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO. A-102

February 21, 2017

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2012, as amended, be and are hereby further amended with respect to Chapter 2 by inserting after Article VI the following new article:

Article VII. Welcoming City

Sec 2-400. Purpose and Intent.

The City of Newton has long derived strength from its diverse community, including those who identify as immigrants. Through the City's commitment to social justice and inclusion, one of the City's most important objectives is to enhance relationships with all residents, including immigrants, and to make all residents, workers and visitors feel safe and secure regardless of immigration status. We believe it is critical to reaffirm in this ordinance, the City's commitment to fair treatment for all.

Sec 2-401. Definitions.

"Administrative warrant" means an immigration warrant issued by ICE, or a successor or similar federal agency charged with enforcement of civil immigration laws, used as a non-criminal, civil warrant for immigration purposes.

"Agency" means the City Council, Executive Office and every City department, division, commission, council, committee, board, other body, or person established by authority of an ordinance, executive order, or City Council order.

"Agent" means any person employed by or acting on behalf of an agency in an official capacity, but shall not include independent sub-contractors of the City.

"Citizenship or immigration status" means all matters regarding questions of citizenship of the United States or any other country, the authority to reside in or otherwise be present in the United States.

“ICE” means the United States Immigration and Customs Enforcement Agency and shall include any successor agency charged with the enforcement of civil immigration laws.

“Immigration detainer” means an official request issued by ICE, or other federal agency charged with the enforcement of civil immigration laws, to another federal, state or local law enforcement agency to detain an individual based on a violation of a civil immigration law.

“Serious violent felony” means a felony crime as defined in M.G.L. c. 265, *Crimes Against the Person*.

Sec 2-402. Prohibitions.

No Agency or Agent shall:

- (a) identify, investigate, arrest, detain, or continue to detain a person solely on the belief that the person is not present legally in the United States or that the person has committed a civil immigration violation or that the person is otherwise deportable;
- (b) arrest, detain, or continue to detain a person based on any immigration detainer, federal administrative warrant, or any other such order or request in any form whatsoever or otherwise honor any such detainer, warrant or request to detain, interview or transfer a person to federal authorities, provided however, the police department may arrest, detain or continue to detain a person in accordance with Sec 2-403;
- (c) notify federal authorities about the release or pending release of any person for immigration purposes except in accordance with Sec 2-403;
- (d) provide federal authorities with information about the upcoming release of a person in custody or the person’s home or work address for immigration purposes;
- (e) cooperate with or enforce any federal program requiring the registration of individuals on the basis of religious affiliation or ethnic or national origin.

Sec 2-403. Exceptions to Prohibitions.

The prohibitions in Sec 2-402 shall not apply where the individual to whom such information pertains provides his or her informed consent as to how the information might be used (or if such individual is a minor, the informed consent of that person’s parent or guardian), where the information is necessary to provide a City service or where otherwise required by valid state or federal law. In addition, the Newton Police Department may detain or arrest an individual in cooperation with ICE only when an investigation conducted by or information received by any City Agency indicates that:

the individual has an outstanding criminal warrant, has a prior conviction for a serious violent felony, is being investigated for terrorism, or if there is a law enforcement or public safety purpose to do so that is not related to the enforcement of civil immigration law provided that the arrest or detention is based upon valid Massachusetts arrest authority and is consistent with the 4th Amendment to the United States Constitution and Article XIV of the Massachusetts Constitution.

Sec 2-404. Requesting or Maintaining Information Prohibited.

No Agency, or Agent shall request or maintain information about, or otherwise investigate or assist in the investigation of, the citizenship or immigration status of any person unless such inquiry is required by valid state or federal law.

Sec 2-405. Use of City Resources Prohibited.

No Agency or Agent shall use City funds, resources, facilities, property, equipment, or personnel to assist in the enforcement of federal civil immigration law or to gather information regarding the citizenship or immigration status of any person, unless permitted under section 2-403. Nothing in this section shall prevent an Agency or Agent from lawfully discharging duties in compliance with and in response to a lawfully issued judicial warrant, judicial subpoena or immigration detainer.

Sec 2-406. Ordinance Not to Conflict with Federal Law.

Nothing in this ordinance shall be construed or implemented to conflict with any otherwise valid and enforceable duty and obligation imposed by a court order or any valid federal or applicable law. Nothing in this subsection shall prohibit or restrain the Agency or Agent from sending to, or receiving from, any local, state, or federal agency, information regarding citizenship or immigration status, consistent with Section 1373 of Title 8 of the United States Code.

Sec 2-407. No Private Right of Action.

This ordinance does not create or form the basis of liability on the part of the City, its Agencies or Agents. It is not intended to create any new rights for breach of which the City is liable for money or any other damages to any person who claims that such breach proximately caused injury. The exclusive remedy for violation of this ordinance shall be through the City's disciplinary procedures for employees under applicable City regulations, unless the Agency or Agent is lawfully discharging duties as set forth in Sec 2-402 and Sec 2-403.

Sec 2-408. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Newton hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions were to be declared invalid or unconstitutional.

Approved as to legal form and character:

DONNALYN LYNCH KAHN
City Solicitor

Under Suspension of Rules
Readings Waived and Adopted
16 yeas 1 nay (Councilor Ciccone) 7 absent (Councilors Baker, Brousal-Glaser, Gentile, Kalis, Lipof, Sangiolo, and Schwartz)

EXECUTIVE DEPARTMENT

Approved: _____

(SGD) DAVID A. OLSON
City Clerk

(SGD) SETTI D. WARREN
Mayor



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
Newton City Clerk
2017 AUG -9 AM 11:18
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Bethel Charkoudian of 18 Maple Avenue, Newton as the Ward 1 member of the Parks and Recreation Commission. Her term of office shall expire on September 30, 2020 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

Bethel Bilezikian Charkoudian

18 Maple Avenue

Newton, MA 02458-1910

Profile

Extensive experience working with an international population in the capacity of Seminar Administrator, Teacher, Counselor, Administrative Assistant, Event Planner, Lecturer

Experience Owner, OldCornerBooks.com — 1990-Present

Selling rare and out of print books on the international market

Teacher, Guidance Counselor, Boston Public Schools 1990-2000

Working with international students and parents recently arrived in Boston, Massachusetts

Adjunct Professor of Writing; Adjunct Professor of English as a Second Language 1987-1997

Harvard University Institute for English Language Programs, Bunker Hill Community College, Pine Manor College, New England Conservatory, Aquinas College, Massachusetts Bay Community College

Guidance Counselor 1965-1970

Newton North High School, Newton, MA The 13th Year, Boston, MA
Gorton Junior-Senior High School, Yonkers, NY

Administrative Assistant to Henry Kissinger 1960-1963 - Harvard International Seminar, Harvard University

Education

Radcliffe College, BA; Yale University, MAT; Columbia University, MA

Skills

Languages: English (native speaker); Spanish, French, some Armenian, some Turkish

Computer: Apple & PC

Editing, Appraisal Services, Internet Sales

Community Service

Newton Parks & Recreation Commission, Member

WBUR, Volunteer Fundraiser

Armenian Library of America, Former Trustee and Library Committee Member



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#266-17

Telephone
(617) 796-1100

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E-mail
swarren@newtonma.gov

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
Newton City Clerk
2017 AUG -9 AM 11:18
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Arthur Magni of 107 Mount Vernon Street, West Newton as the Ward 2 member of the Parks and Recreation Commission. His term of office shall expire on September 30, 2020 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

Reenie Murphy

From: Arthur Magni
Sent: Thursday, March 13, 2014 12:16 AM
To: rmurphy@newtonma.gov
Subject: Parks and Recreation Commission Term Expiration

Hi Reenie,

A letter from HR arrived this afternoon regarding the expiration of my current term on the Parks and Recreation Commission. It is a post I enjoy and would like to continue as a member, so I am writing, as instructed, to you as the Coordinator of Boards and Commissions, to formally express my interest to continue on the Commission.

As you well know, I own and run the Andrew J. Magni & Son Funeral Home with my Father, Andy, and have done so for the last 14 years. Before the funeral profession, I worked in the publishing and journalism fields for several years, starting right out of college (Wesleyan University, CT, class of 93). In the 7 years between college and starting with my Dad, I worked in various capacities: as a beat reporter for various newspapers, a submission editor at Reader's Digest and later as an editor for a news-related website. Toward the end of this stretch of jobs, I pursued my funeral degree at night while continuing at my regular job during the day.

My work on the Parks and Recreation Commission continues to surprise me in how issues related to parks and land and athletics can be so complex and sometimes controversial, such as dog parks and swim at your own risk and lighting and concessions at playing fields. The position has also educated me about how many layers of government are involved in seemingly small issues, but how crucial each layer is in protecting the interests of the City and the citizens of the community.

I would be grateful for another term on the Commission.

Please let me know if you need any other information, Reenie.

Regards,
Arthur M.
107 Mount Vernon St
Newton, 02465

P.S. The letter from HR was dated Feb. 13, 2014. But the envelope was postmarked March 11, and only arrived today, March 12.

Application Form

Profile

Arthur

First Name

Magni

Middle Initial

Last Name

Email Address

Home Address

City

Suite or Apt

State

Postal Code

What Ward do you live in?

☒ Ward 2

Primary Phone

Alternate Phone

Magni Funeral Home

Employer

Director

Job Title

Which Boards would you like to apply for?

Parks and Recreation Commission: For Review

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I am a competitive athlete and use the athletic fields and facilities managed by the City. Beyond personal reasons, it's in the public good for all Newton citizens to have well-maintained natural areas for general aesthetics and for encouraging passive recreation. And active recreation is equally important for general well-being. So the camp and swimming and tennis programs and all the other athletic activities and teams organized by the City are vital to Newtonians.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#267-17

Telephone
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Facsimile
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TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
Newton City Clerk
2017 AUG -9 AM 11:18
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Peter Kastner of 49 Woodbine Street, Newton as the Ward 4 member of the Parks and Recreation Commission. His term of office shall expire on October 31, 2020 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

Peter Kastner
49 Woodbine Street
Auburndale, Massachusetts 02466

August 7, 2017

Current Newton Affiliations

Newton Parks and Recreation Commission
Newton Community Farm

Past Newton Affiliations

Friends of Nahanton Park Founding Member and Past President
Newton School Foundation
Auburndale Community Association (ACA)
League of Women Voters-Land Use Committee
Newton Advisory Committee for Long Range Planning

Education

MBA-Boston University-School of Management
BA (History) CLA-Boston University

Professional Experience

Harley Hospital-CEO
Jewish Home for the Aged Assistant Director
Solomon Carter Fuller Mental Health Center-Assistant Superintendent
North Charles Foundation-Executive Director
Department of Mental Health-Director OCB



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#268-17

Telephone
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TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

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David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Byron Dunker of 10 Southwick Road, Waban as the Ward 5 member of the Parks and Recreation Commission. His term of office shall expire on September 30, 2020 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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DEDICATED TO COMMUNITY EXCELLENCE

Byron “Buzz” Dunker

10 Southwick Rd.
Waban, MA 02468

June 29, 2017

Dear Mayor Warren,

I would love to be considered to continue on as the Ward 5 representative on the Recreation Commission. I have lived in Newton all my life and been involved in all aspects of recreation in the city. As my 2 kids grew up and went through the school system, I coached just about every sport that they were involved in. I have continued to coach in our Newton Babe Ruth baseball league. I am also very involved in the running of the Newton Southeast Little League, both as its treasurer and being responsible for all of our fields. I have worked closely for years with our wonderful Parks and Recreation Department in maintaining all of our playing fields, both with their help as well as doing as much as I physically can myself. I think the Newton Police are very familiar with seeing me working on our playgrounds late at night.

I have also been very involved with the great Highlands Playground project which is finally nearing completion. The Parks and Recreation Department has been great in pushing that project along. I also really want to also thank you for your support on it. It is going to be an impressive playground for everyone to enjoy.

I work for New England Petroleum, 6 Kimball Lane in Lynnfield, MA 01940. We are a petroleum marketing and trading company that wholesales motor fuels in the northeast. I handle all the marketing along with supply. We bring in cargos of gasoline and diesel into the northeast and wholesale it. New England Petroleum is a privately held company owned by the Kaneb family. In addition to my company, they also own HP Hood and a chain of gas stations and are also, minority owners of the Red Sox.



I have really enjoyed the past few years being on the commission and being able to have input on the various issues that come before us. More importantly, however, I have really enjoyed working directly with Bob Derubeis and the Parks and Recreation Department in maintaining all of our playing fields and the running our youth leagues. I hope to continue on with both.

Warm regards,
Byron "Buzz" Dunker





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Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Andrew Stern of 56 Tyler Terrace, Newton as the Ward 6 member of the Parks and Recreation Commission. His term of office shall expire on September 30, 2020 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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DEDICATED TO COMMUNITY EXCELLENCE



Andrew R. Stern is a real estate lawyer and of counsel with Foley & Lardner LLP and has particular experience in national office and retail leasing, as well as in advising design and construction companies. He is a member of the firm's Real Estate, Construction and International Practices and the Energy, Hospitality & Leisure and Health Care Industry Teams.

Mr. Stern has handled a wide variety of real estate matters, including:

- Construction and permanent financing
- Site acquisition and assembly
- Permitting and zoning
- Architects licensing and contracts
- Contractor and construction manager contracts
- Development, brokerage and property management agreements
- Partnership and limited liability company agreements
- Land disposition agreements with governmental authorities
- Creation of condominium and other forms of common ownership vehicles, including cooperatives

In addition to his extensive background in traditional real estate matters, Mr. Stern also frequently works with the Business Law Department on the real estate aspects of mergers and acquisitions, financings, environmental matters and other due diligence.

Prior to joining Foley, Mr. Stern was a member of the national firm of Epstein Becker & Green, P.C. Mr. Stern was also previously a vice president of the hotel company, ITT Sheraton Corporation, as well as The Carlson Group, Inc., a national design and construction specializing in data centers and telecom facilities. While at Sheraton, Mr. Stern worked with the company's development team on numerous U.S. and international hotel acquisitions, management contracts and property dispositions.

Thought Leadership

Mr. Stern regularly writes and speaks on leasing and construction topics including sustainable development and green leasing.

Education

A graduate of the University of Chicago Law School, Mr. Stern received his J.D. He also holds a B.A., (*summa cum laude* and honors in politics) from Brandeis University, where he was also elected to Phi Beta Kappa.

Recognition

Mr. Stern has been Peer Review Rated as AV® Preeminent™, the highest performance rating in Martindale-Hubbell's peer review rating system. He was also named to the 2005 – 2007 and 2013 – 2016 *Massachusetts Super Lawyers®* lists, an honor received by only 5% of Massachusetts attorneys. In

2012 and 2013, Mr. Stern was recognized by the *Legal 500* for his work in real estate. He was also named one of the top real estate lawyers in Massachusetts by *Chambers USA* (2012, 2013 and 2014) and was selected by his peers for inclusion in *The Best Lawyers in America*© since 2013 in the field of real estate law.

Admissions

Mr. Stern is admitted to practice in Massachusetts, New York, the District of Columbia and before the U.S. District Court of Massachusetts (Eastern District), U.S. Court of Appeals for the First Circuit and the U.S. Supreme Court.

Affiliations

He is a member of the board of directors and a past president of the Lawyers Clearinghouse on Affordable Housing. His other community activities include serving as former chair of the Newton Parks & Recreation Commission, the Newton Community Preservation Act Committee, the Mayor's Landscape Advisory Council, and past president of the Newton Schools Foundation.

Andrew R. Stern
Foley & Lardner LLP
111 Huntington Avenue
Boston, MA 02199



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David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Richard Tucker of 23 Woodman Road, Chestnut Hill as the Ward 7 member of the Parks and Recreation Commission. His term of office shall expire on September 30, 2020 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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DEDICATED TO COMMUNITY EXCELLENCE

Richard L. Tucker, CFA

23 Woodman Road. Chestnut Hill MA 02467-1221

Career Summary

Over 40 years of experience in three leading investment management organizations. Focus on general management, client service, marketing, and communications.

1986-2004 Trinity Investment Management Corporation, Boston, MA

Chief Executive Officer, 1999-2003, Managing Director 1992-99

In addition to general management and supervisory roles, I managed several large international client relationships and led the successful negotiations to sell Trinity to OppenheimerFunds/Mass Mutual in 1998.

1980-86 The Boston Company, Boston, MA

Senior Vice President, Manager Personal Trust Division 1982-86

Director, Mutual Funds Marketing 1980-82

Member of Corporate Marketing and Management Committees

Managed professional officer/support team handling large personal trust and investment accounts. Developed new business with affiliated companies following acquisition of Company by American Express/Shearson in 1981..

1963-80 Scudder, Stevens & Clark, Boston, MA

Vice President – Investments. Portfolio Manager for family and charitable clients. Marketing Director for Mutual Funds, Assistant Director for Public Relations

Education/Military Service

Harvard College, 1962 – A.B. in Government & Economics

US Army Reserves – 1962-68 (Military Intelligence, Top Secret Clearance)

Activities

Financial Consultant – Advisor to individuals and families

Director – Chestnut Hill Association

Parks & Recreation Commission, Newton MA – Vice Chairman

Overseer/Investment Committee – North Bennet Street School, Boston

Past president, Taconnet Unit Owners Association, Rome, Maine

Former Director – Data General Corp, Chair of Audit Committee

Former Director – Harvard Alumni Association

Vestry member, past treasurer – Church of the Redeemer, Chestnut Hill, MA

Former Trustee – Phillips Exeter Academy, Chair of Investment and Finance



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Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Patrick Palmer of 37 Arapahoe Road, Newton as an alternate member of the Parks and Recreation Commission. His term of office shall expire on October 31, 2019 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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DEDICATED TO COMMUNITY EXCELLENCE

37 Arapahoe Road
Newton, MA 02465

Chief Executive Officer/General Manager

Senior and executive manager with extensive leadership background in operations, customer service, strategic planning, fund raising, association management, staff, fiscal, and facility supervision. Excellent communicator with solid people skills who has built powerful business and community partnerships. Strong leader and visionary who excels in motivating others in a team management environment.

- **Managed a \$950M budget, administratively supervised 2200 employees**
- **Raised over \$6.0M for YMCA facilities renovations, scholarships and financial assistance**
- **Mentored and trained over 150 volunteers as national association CEO**

Experience

West Suburban YMCA, Newton, Massachusetts

2003-2014

President and Chief Executive Officer

Managed, as the CEO, an 8000-member, 3-facility operation with an annual operating budget of \$7.0MM, 250 employees, and a 24-member Board of Directors.

- Opened a 10,000 square foot gymnasium complex, a 4,000 square foot state-of-the-art fitness center, a new children and family wellness center, a pre-school, an artificial turf field and synthetic track, new men's and family locker rooms, dance and music recording studios, and a Teen Center.
- Grew the membership from 4200 to over 8000 and the program participants from 2500 to 10,000.
- Trained and mentored the management staff in the areas of customer service, strategic and business planning, fiscal management, financial development, business and community partnership development, human resources development, and team management concepts.
- Led the staff in unique and aggressive marketing plans to attract and retain new members.

The Palmer Group, Newton, Massachusetts

2000-2003

Founder and President

The Palmer Group, a management consulting firm, specializing in hospitality management consulting including hotel, golf, tennis, fitness and spa operations and private club membership sales and marketing.

Sheraton El Conquistador Resort and Country Club, Tucson, Arizona

1996-2000

General Manager – Country Club

Managed the entire operation that included a 3000-member Club with an annual operations budget of \$8M, 125 employees, 54 holes of golf, 31 tennis courts, 3 restaurants, 2 fitness centers, spa, and pool.

- Completed the \$2.5M Strategic and Capital Plans for the renovation of two 18-hole golf courses and the 55,000-square foot Clubhouse refurbishment – managed the 1st 18-hole renovation and completed the design of the Clubhouse remodeling and the second 18-hole construction.
- Mentored 6 senior managers (Director of Golf, Course Superintendent, Clubhouse Manager, Controller, Food and Beverage Director, Facilities Manager) and their staff in the areas of customer service, professional development, crisis management, team building, interpersonal skills, leadership, community development, marketing, sales, strategic planning, facilities management, and fiscal responsibility.
- Developed and implemented an on-going sales and marketing plan to attract new members (corporate and individual) which resulted in incremental revenues of \$1.5M and a net growth of over 240 memberships.
- Established collaborative relationships with homeowners, city government, local businesses, and professional associations that increased the exposure and marketability of the facility.

Coldwell Banker Realty Incorporated, Tucson, Arizona

1993-1996

Manager – Information Systems

- Designed, implemented, and managed a 3-office computerized area network that increased productivity by 20% of the 225 Sales Associates.

Air Canada, Montreal, Quebec

1972-1993

Airline Pilot, 1972-1993

- Flew major national and international routes as a Captain
- Appointed a Director of the corporation in 1980.

National Chairman, Canadian Airline Pilots Association, 1990-1992

Managed, as Chief Executive Officer, the 2200-member Association of the Air Canada Pilots. Duties included operations management, collective agreement negotiations, mediation and arbitration, representing the membership at national and international symposia, business, community, and political partnership development, staffing and mentoring 150 volunteers.

- Successfully negotiated a three-year “win-win” agreement between the pilots and Air Canada resulting in substantial enhancements to the pilots’ working conditions while maintaining Air Canada’s competitive market share capability.

Director, Planning and Administration, Air Canada, 1982-1986

Managed for the Vice-President a \$950MM Annual Budget and administratively supervised 2200 employees and functionally supervised 75 in the Human Resources, Finance, and Administration departments.

- Developed and implemented the Crew Management System resulting in annual Wage and Benefit productivity gains of \$2.5MM

Director, Technical Operations Administration, Air Canada, 1980-1982

- Analyzed the Human Resources, Administration, and Finance results of 6 Airline Technical Branches representing 10,000 employees and \$2.3BB in Operations expense. Proposed future action to Executive Management which resulted in significant operational improvements.

Leadership Activities

Chief of Negotiations, Canadian Airline Pilots Association – Toronto, Ontario

President and General Manager, Dorval Tennis Club – Dorval, Quebec

Guest Lecturer, Northern Arizona University, Hospitality & Restaurant Management -Tucson, Arizona

Guest Lecturer, McGill University, Executive MBA Program – Montreal, Quebec

Volunteer Activities

Board Chair, Newton-Needham Chamber of Commerce – Newton, Massachusetts

Executive Committee Member, Association of Massachusetts YMCA’s

Member, Parks and Recreation Commission – Newton, Massachusetts

Board Member, City of Newton Volunteer Services – Newton, Massachusetts

Coach and Mentor, of adolescents in soccer, tennis, hockey, golf, football, and baseball

Education

Master of Management, Cambridge College, Cambridge, Massachusetts

Graduate (BSc. Equivalent), Aeronautical Engineering Technology – Seneca College, Toronto, Ontario.

YMCA Senior Director Certification



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Newton, MA 02459

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David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Jack Neville of 68 High Street, Newton Upper Falls as an alternate member of the Parks and Recreation Commission. His term of office shall expire on September 30, 2020 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,

Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

JOHN F. (Jack) NEVILLE, JR.**PROFESSIONAL**

STANDING: Class "A" Member, PGA of America, 1966

SUMMARY:

Progressive experience in golf industry that includes Director of Golf and Head Professional positions. Extensive achievements in public relations, teaching, business management, merchandising, and tournament organization. Office holder and active participant at both Sectional and National PGA levels, with particular recognition for the support and promotion of Junior golf. Elected by peers for NEPGA Golf Professional of the Year.

PGA**EDUCATION:**

MGA Rules Workshop, 2003, 2004, 2005, 2006
 NEPGA Medical Emergency Seminar, 2001
 NEPGA, Two Day Teaching Seminar, 2001
 Henry-Griffitts Club Fitting Seminar, 1995
 Certified CPR and First Aid, 1994, 2000, 2003
 PGA & USGA Rules Workshop, 1984, 1988, 1991, 1992
 PGA Investment Program Workshop, 1989
 PGA Leasing Golf Facility Seminar, 1986
 PGA Golf Operations Seminar, 1985
 PGA & USGA Five Day workshop on Rules and Tournament Management, 1978
 PGA Five Day Workshop on Teaching, 1975
 PGA Business School, Palm Beach, FL, 1964
 Over 36-hours of Continuing Education per three-year periods

PROFESSIONAL**EXPERIENCE:**

1997-Present

BROOKLINE GOLF CLUB, Brookline, MA

Director of Golf

An active suburban municipal facility playing 32,000 rounds annually. Oversee all aspects of daily club operations, including grounds, capital improvement projects, financial management, and supervision and evaluation of 30-40 staff members.

- Key contributor in developing and implementing strategic budget plans.
- Create diverse junior program that includes clinics, summer camps, and leagues.
- Plan and manage club tournaments.
- Hosted Westfield Junior PGA Championship in 2004, 2005, and 2006.
- Led large-scale reorganization initiative to improve overall condition and efficiency of club.
 - Generated \$200K profit increase within one year.
 - Planned and managed green reconstruction projects.
 - Formalized operating policies and procedures.
 - Introduced technology to club and coordinated installation of POS system.
 - Improved merchandise quality and selection at pro shop.
- From 2000 to 2002, provided oversight in implementing \$2.3M capital plan for clubhouse and course improvement project.

1979-1997

PONKAPOAG GOLF CLUB, Canton, MA

Head Golf Professional

An active municipal facility playing 80,000+ rounds annually.

- Managed two major Junior Golf championships in New England as well as CYO and New England Junior Open.
- Hosted Gatorade Junior Golf Clinic, Pepsi Junior Golf Clinic, and sectional finals for PGA Junior Golf Championship.
- Oversaw development and performance of three PGA Professionals and three Apprentices.
- Established clinics for New England Special Olympics participants, adults, and children.
- Hosted two annual events for special education students within Boston Public Schools.
- In 1995, started Four-Ball League for Juniors playing at public golf courses.

ack) NEVILLE, JR.

SCIENCE, *aned*

- 1978-1984 NEWTON NORTH HIGH SCHOOL, Newton, MA
Golf Coach
- 1975-1980 MARTIN MEMORIAL GOLF COURSE, Weston, MA
Head Golf Professional
- 1963-1975 BRAE BURN COUNTRY CLUB, Newton, MA
Assistant Golf Professional
 Previously served as **Caddy** and **Caddy Master**.

PGA OF AMERICA

ACTIVITIES:

- President's Council, PGA of America, 2004-Present
- Award's Committee, New England PGA, 2001-Present
- Club Relations Committee, New England PGA, 1989-Present
- Membership Committee, New England PGA, 1987-Present
- Land and Building Development Committee, 1992-2002
- Marketing and Corporate Relations Committee, 1992-2001
- Benevolent and Relief Financial Development Committee, 1993-1999
- Assistant Professional Association Liaison Committee, 1992-1999
- Chairman, Junior Golf Committee, 1990-1999
- Member, NEPGA Ryder Cup Committee, The Country Club, 1999
- Junior Scholarship Committee, 1991-Present, Chairman, 1996
- Honorary President, New England PGA, 1995-1997
- Delegate to PGA Annual Meeting, 1990-1995
- President, New England PGA, 1993-1995
- Member, Junior Golf and Championship Committee, 1991-1994
- Secretary / Treasurer, New England PGA, 1990-1993
- President, Southern Massachusetts Chapter New England PGA, 1990-1991
- Secretary / Treasurer, Southern Mass. Chapter NEPGA, 1988-1989
- Vice President, New England PGA, 1987-1990
- Board of Directors, Francis Ouimet Caddie Scholarship Fund, 1985-1994

AWARDS:

Distinguished Service Award, NEPGA, Southern MA Chapter, 2005
 Professional of the Year, NEPGA, 1995
 New England PGA, Junior Leader Award, 1990
 Member, Quarter Century Club, PGA of America
 Featured in Boston Globe series on Golf Instruction

EDUCATION:

NEWTON JUNIOR COLLEGE, Newton, MA

MILITARY:

U.S. ARMY RESERVE, 1962-1968

COMMUNITY ACTIVITIES:

- Member, Newton Upper Falls Community Development Corporation
 - President, 1995-Present, Vice President, 1992-1995, Board of Directors, 1970-1974 and 1989-1992
- Member of Newton Parks and Recreation Commission, 2003-Present



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Ladies and Gentlemen:

I am pleased to reappoint Michael Clarke of 1115 Beacon Street, #9, Newton as an alternate member of the Parks and Recreation Commission. His term of office shall expire on September 30, 2019 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,


Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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DEDICATED TO COMMUNITY EXCELLENCE

Michael Clarke is a retired professor of chemistry at Boston College. He has been on the Newton Conservators Board of Directors since 1992 and was Vice President from 1995-1996, President from 1997-1999 and Past President from 1999-2001. He has served as an alternate member of the Parks and Recreation Commission since 1993. He was the Mayoral appointee for Open Space to the Newton Community Preservation Committee from 2009 to 2017. He chaired the Newton Bicycle and Pedestrian Task Force in 2005. He likes to hike and canoe and maintains the Helen Heyn Riverway path.

Clarke, Ph.D. Professor of Chemistry-retired Birthdate: 12/30/46
Merkert Chemistry Center, Boston College, Chestnut Hill, MA 02467-3860

Education

The Catholic University of America	B.S.	1968	Chemistry
Stanford University	M.S.	1970	Physical Chemistry
Stanford University	Ph.D.	1974	Inorganic Chemistry

Recognitions and Honors

Professional: NSF Program Director for Inorganic, Bioinorganic and Organometallic Chemistry, 2001-2004. Program Officer, 1996-7.
Co-chair, Metals in Medicine Gordon Research Conference 2002
NIH Biometallic Study Section Member 1991-1995; 1988-91, 1998-99 *ad hoc*
Secretary Division of Inorganic Chemistry, American Chemical Society 1995-98
Editor, *Structure and Bonding*, 1984-1999,
Editor, *Topics in Bioinorganic Chemistry*, 1999-present
Editor, *Metal-Based Drugs*, 1992-2000
Whiting Foundation Fellow, 1984
NIH Young Investigator Grant Award, 1978-1981

Graduate: Phi Lambda Upsilon, Chemical Honorary Society

Undergraduate: Phi Beta Kappa, Hillebrand Jr. Award, Sigma Xi Award, AIC Medalist

Research Interests

Interactions of transition metal ions with nucleotides, nucleic acids and coenzymes. Transition metals in therapeutic and diagnostic agents. The chemistry of Ru. Electrochemistry of transition metal complexes. Electron transfer involving metal ions and molecules of biological importance.

Experience

June 2001-Sep 2004 and July 2005-July 2008	Program Director, National Science Foundation
September 1996-August, 1997	Program Officer, National Science Foundation Inorg., Bioinorg. & Organomet. Chem. Program
September, 1985 to present:	Professor of Chemistry
September, 1980 to August, 1985	Associate Professor of Chemistry
September, 1976 to August, 1980	Assistant Professor of Chemistry Boston College
September, 1975 to August, 1976	Assistant Professor of Chemistry, Wheaton College, Norton, MA

September, 1974 to August, 1975

Assistant Professor of Chemistry
Boston University, Boston, MA

September, 1972 to August, 1974

Research Assistant with Prof. Henry Taube
Stanford University

January, 1971 to September, 1972

Research Clinical Chemist
Washington Hospital Center

August, 1970 to January, 1971

Research Chemist
Department of Anesthesiology
Stanford Medical Center

Community Service

1. Newton Community Preservation Alliance	Secretary	2000
2. Newton Community Preservation Committee	Member	2009-2017
3. Newton Parks & Recreation Commission	Alternate Member	1993-present
4. Newton Bicycle & Pedestrian Task Force	Member	1999-2009
	Chair	2005
5. Newton Flowed-Meadow Planning Group	Member	1999-2000
6. Newton Conservators	Board Member	1992-present
	Vice President	1995-1996
	President	1997-1999
	Past President	1999-2001
7. Clearbrook Homeowners Association	Board Member	1989-2001, 2004
8. Metropolitan Boston Health Planning Group	Member	1981-1985
	Board Member	1984



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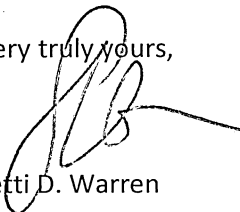
Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Sam Figler of 63 Summer Street, Newton as an alternate member of the Parks and Recreation Commission. His term of office shall expire on October 31, 2018 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Very truly yours,



Setti D. Warren

Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

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DEDICATED TO COMMUNITY EXCELLENCE

Why are you interested in serving on a board or commission?

The Honorable Setti Warren July 17, 2017 Mayor of Newton Newton City Hall 1000 Commonwealth Ave, Newton, MA 02459 RE: Parks and Recreation Commission Re-appointment Dear Mayor Warren: As you may recall, you appointed me as an Alternate member of the Parks and Recreation Commission in 2014. My term expires this year and I'm writing to express my interest in continuing to serve on the Commission. I grew up in Brookline, and have been a Newton resident since 2005 (Ward 6, Precinct 4). I have three children between the ages of 8 and 17, all of whom are active participants in Newton Recreation programs. I also participate in Newton recreation programs both individually and as a youth sports coach. I believe Newton's Parks and Recreation programs and facilities are among the City's greatest assets and I'd welcome the opportunity to continue to guide their refinement and development by serving on the Commission. Attached is an outline of my background and professional experience. I would be pleased to provide additional information and/or discuss my interests in further detail. Sincerely, Sam Figler 63

Sumner St. Newton, MA 02459 : Sam Figler is BuzzFeed's Head of Global Business Development where he leads the company's global strategic partnerships in business, video and technology. In 1998, Sam joined Yahoo! as its sixth lawyer leading negotiations for its largest commercial transactions. He moved over to Yahoo!'s business side in 1999 and over the next seven years, held a variety of senior management positions including Vice President, Business Development and Vice President, North American Operations. In 2006, Sam went on to serve in a number of senior executive roles at various digital media companies including Senior Vice President, Partnerships & Ventures, at The Huffington Post, and Executive Vice President, Business Development at Criteo. In addition to his business career, Sam has taught at the George Washington University Law School and served on numerous boards, including the Youth Law Center and Center for Children's Law & Policy. Sam graduated with high honors from the George Washington University Law School and Clark University.

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