

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE REPORT

WEDNESDAY, APRIL 7, 2010

Present: Ald. Ciccone (Chairman), Yates, Fuller, Freedman, Harney, Swiston, Johnson and Shapiro

Also Present: Ald. Danberg

City Staff: Captain Howard Mintz (Newton Police Department), David Koses (Transportation Planner), Marie Lawlor (Assistant City Solicitor), Jim Danila (Transportation Engineer) and Clint Schuckel (Traffic Engineer)

#80-08(3) ALD. SALVUCCI AND DANBERG requesting that the City's one-year trial commercial parking permit program (City Ord. 19-205) be made permanent, with associated modifications based on the trial results. [01/12/10 @ 4:23 PM]

ACTION: **APPROVE AS AMENDED 8-0 REFERRED TO FINANCE COMMITTEE**

NOTE: Ald. Danberg, Captain Howard Mintz, Newton Police Department; David Koses, Transportation Planner; Marie Lawlor, Assistant City Solicitor; Jim Danila, Transportation Engineer and Clint Schuckel, Traffic Engineer joined the Committee for discussion on this item.

Mr. Danila described the changes to the Commercial Parking Permit Program. He said the program has expanded and will not just include employees of Newton. The program will also include Newton residents and Newton commuters at long-term meter spaces, including streets.

Eliminate Saturdays (would allow free parking in empty spaces in all locations)

- Parking at permit spaces would be free on Saturday
- Prefer not to have 6-day vs. 5-day permits
- Change hours from 8am-6pm to 6am-6pm

Fee (allowing an option to pay quarterly at a higher rate)

- \$80.00 per month (\$960.00 if paid annually)
- \$260.00 per quarter (\$1,040 if paid quarterly)

Expand Spaces Eligible

- Up to 75% of long-term meters in municipal parking lots
- Up to 75% of long-term meters on-street

Include Non-Metered Areas

- Only when permit demand at 75% of long-term metered spaces has been met

Simplify Administration

- City Clerk will not be involved, no lotteries -spaces will be made available as needed
- Police Department will verify eligibility, collect permit payments and penalty fines
- Department Public Works will identify available spaces and will install signage, bag and remove meters

Mr. Danila said if fees are not paid on time, there will be a fee of a \$25.00 fine imposed. The Ordinance does not define when the fine should be implemented. If not paid, the permit will be revoked, meter will be added back to the post and the space will be reassigned. The municipal lots in Nonantum do not have meters; time limits are posted on the parking spaces. Ald. Johnson asked Captain Mintz if people are ticketed in the Nonantum location. Captain Mintz said the area is not heavily ticketed but this could change. Ms. Lawlor said the permit shall be revoked if the applicable permit fees are not paid when due. Ald. Johnson asked what is the definition of due. Ald. Swiston recommended the time frame for a late payment should be ten days. Ms. Lawlor asked Committee members if they would prefer to implement a date or a time frame before a late fee is charged or should the decision be left to the Police Department.

Ald. Fuller asked for clarification of a long-term meter, is it in fact four hours. Mr. Danila said the City does not have four hour meters. Currently, twelve hour meters are only in effect from 8am to 6pm, the program will allow parking 6am to 6pm Monday through Friday. Ald. Danberg said only the twelve hour meters are being used in the program. Ald. Swiston suggested using the words "long-term" meters in the Ordinance.

Ald. Shapiro suggested receiving only one payment, not quarterly payments making it easier for the City. Ald. Danberg agreed. She said she has received many requests from small business owners requesting quarterly payments so they could participate.

Ald. Freedman recommended raising the fee to \$1,500.00 per year because of the convenience of applicants not having to carry coin, snow removal will be completed by the City and it will be easier for the Police Department to enforce. Ald. Danberg made a friendly amendment to \$1,000.00 per year, perhaps increasing it in the next few years. She does not want the program to revolt due to high costs. Currently, the program is successful in Newton Centre she would also like to see it successful in Nonantum, Auburndale, Newtonville and other areas of the City. Ald. Fuller recommends a fee of \$1,200.00 per year, Ald. Shapiro agreed. Ald. Shapiro recommends people currently in the program have the current rates "grand-fathered" for one year to see the level of demand. Committee members disagreed.

Ald. Johnson and Ald. Swiston asked for an approximate cost to run the meter program which would help the Committee decide on a fee. Ald. Johnson said she is concerned with applicants paying for a six day permit because Auburndale, Nonantum and Newtonville are free on Saturdays. Ald. Fuller said Mr. Schuckel recently informed her that the cost of collecting coins is estimated at 10-15% of revenues. Ald. Swiston asked what additional cost has incurred since beginning this trial and why are some villages more successful than others. She does not feel different village areas should be charged different rates. Ald. Danberg said metered areas must not abut a residential property. Ald. Swiston recommends the City setting a policy on where meters should be installed with clear criteria.

Ald. Shapiro asked if it was necessary the trial become permanent or if it can continue for another year with a new pricing structure to see the level of demand. Ms. Lawlor said a sunset provision could be added or at anytime an item could be docketed to change the fees. Ms. Lawlor asked Committee members if they would like to add a sunset provision. Committee members agreed it was unnecessary.

Captain Mintz said Chief Cummings would like to request appropriate funds be disbursed to the Police Department for administration, overtime and I.T. costs. Chief Cummings also requested in another year, perhaps the DPW or another department could handle receiving the fees. He also requested in another year the Police Department be re-evaluated to decide if they should continue administering the program. Ald. Ciccone asked Mr. Schuckel for an approximate cost the City could provide the Police Department for their services.

Ald. Harney recommends changing the name from Commuter Parking Permit Program since it will be proposed to Newton residents and Newton commuters and requests changing the text of the ordinance by striking the words in (b) (1) "located no further than 1,500 feet from the location of said business". Mr. Schuckel said businesses will be able to request more than two spaces. Ald. Danberg recommended changing the name of the program to Pre-Paid Parking Permit Program.

Ald. Harney asked why Chestnut Hill and Waban areas are not part of the program. Ald. Danberg said Waban does not have meters. Mr. Schuckel said Chestnut Hill, Waban and Upper Falls are not considered because they do not have long-term meters and cannot be eligible for the program. Ald. Harney recommends striking the words in (a) (4) "in the following village centers..." Mr. Koses recommends installing long-term meters in these areas so that businesses and employees could join the program if desired.

Ald. Johnson suggested in (b) (2) adding the word "residential" to a vehicle which is registered to an address located within the City of Newton. Ald. Danberg said (b) (4) refers to "passenger" vehicle avoiding commercial vehicles with logos.

Ald. Fuller asked Committee members if they were comfortable with a late fee and parking violation of \$25.00 per offense or should it be raised. Committee members agreed \$25.00. Mr. Schuckel said the parking violation fee of \$25.00 is maximum allowable by state law.

Ald. Yates made the motion to approve this item with the following amendments:

- Change name from Commuter Parking Permit Program to Community Parking Permit Program
 - (a) (4) strike the words "in the following village centers: Auburndale, Newton Corner, Newton Highlands, Newtonville, Newton Centre, Nonantum and West Newton."
 - (b) (1) strike the words "located no further than 1,500 feet from the location of said business".
 - (b) (2) add the word "residential" to a vehicle which is registered to an address located within the City of Newton.
 - (d) (1) Change fees from \$960.00 per year to \$1,200.00 if paid in a single installment prior to issuance of the permit. The fee shall be \$1,280.00 per year if paid in quarterly installments of \$320.00 each. Refer this item to the Finance Committee for approval of the fee change.
 - After one year, request from His Honor the Mayor a recommendation to the Board of Aldermen on whether the Police Department shall continue administering the program or if it should be referred to a different department.

- Resolution requesting that His Honor the Mayor provide a recommendation to the Board of Aldermen allowing appropriate funds be disbursed to the Police Department for their administration costs.

Committee members voted in favor of these amendments and refer this item to the Finance Committee 8-0.

At approximately 9:40 pm, Ald. Yates moved for adjournment and the Committee voted in favor 8-0.

Respectfully submitted,

Allan Ciccone, Jr. Chairman