



Programs & Services Committee Report

City of Newton In City Council

Wednesday, November 9, 2016

Present: Councilors Rice (Chair), Leary, Auchincloss, Kalis and Schwartz

Absent: Councilors Sangiolo, Hess-Mahan and Baker

Also Present: Councilors Lennon and Lappin

City Staff: Quinn Etchie (Director, Youth Services), David Fleishman (Supt., Newton School Dept.), Liam Hurley (Asst. Supt., Finance), Karen Shmukler (Asst. Supt., Student Services), Mike Cronin (Chief of Operations), Maura O'Keefe (Assistant City Solicitor), Karyn Dean (Committee Clerk), Diana Fisher Gomberg (School Committee)

#364-16 Ordinance Amendment relative to the Youth Commission

HIS HONOR THE MAYOR proposing to amend the City of Newton Ordinances, Article VI, Youth Commission. [10/24/16 @ 3:22 PM]

Action: Approved 4-0 (Councilor Leary not voting)

Note: Quinn Etchie, Director of Youth Services joined the Committee. She introduced Luther Evans, a senior from Newton North, and Alexa Lyons who is a resident of Newton, but attends school in Boston. Both are members of the Youth Commission. Ms. Etchie explained that there have been discussions, even before she joined the City, about revising the ordinance relative to the Youth Commission. She feels the conversations with the students, adult advisors, the Mayor, and the Law Department have developed a simpler to understand ordinance and an ordinance that will better represent the youth of the City.

The Youth Commission will also be developing their own policies to support the ordinance. That was a suggestion from Maura O'Keefe, Assistant City Solicitor because there is high turnover in the Commission. The policies will be a project they can work on as the Commission is composed each year, and are easily self-amendable. The Commission will be highly invested in their own operating procedures which can be tailored to the needs of each particular composition of the Commission. Ms. Etchie reported that they are currently working on those policies.

The proposed amendments to the ordinance were attached to the agenda and include:

- Allowing students who either reside in Newton or attend school in Newton to be appointed as Commissioners. This would allow students participating in the METCO program appointment to the Commission and also allow students who attend school outside the City to serve.

- Expanding the number of students on the Commission from 7 to 9 to allow more diversity, talent and wider a representation across the City.
- Expanding the membership of the Advisory Board from 20 to 30 to include 15 student members and 15 adult members. The current ordinance calls for 5 student members and 15 adult members.
- Changing term limits for all members of the Advisory Board from one year to two years.
- Clarifying that a member is rendered ineligible to serve when they graduate. This was necessary because statute requires appointment of a 3 year term and left a gray area of what would happen if the student graduates before the end of that term. Also added was the definition of “youth” as someone who is enrolled in middle school or high school.

Committee Questions/Comments

A Committee member asked about middle school participation. Ms. Etchie explained that Commissioners are generally high school students. The Advisory Board is where middle school students gain experience and may then move on to become Commissioners. It is also difficult for Middle Schoolers to attend many night meetings.

It was asked if it was difficult to fill all the positions. Ms. Etchie responded that all the Advisory Board student positions are filled except for one, and she has been interviewing for that last slot.

It was also asked if the adults on the Advisory Board can overshadow the student members. Luther Evans and Alexa Lyons said the adults are very supportive of the students and are very much in a role to encourage, advise and stimulate the student voice. It feels much more like a community than a committee. They both supported the changes to the ordinance and wanted to make the Commission and Advisory Board as inclusive to as many students as possible.

A Committee member asked Alexa Lyons how her experience living in Newton but going to school in Boston brought a different perspective to the Commission. She said she wanted to be involved because she is part of the Newton community and has met many interesting people. Having as many voices as possible and perspectives is something that is necessary. Another Commissioner lives in Boston but attends Newton schools and, for example, was voicing her opinion on how changing the start times of school might affect METCO students versus those who live in Newton. This is something that might not have been considered without her point of view.

It was asked if the Youth Commission might work to find students to serve on other City’s Boards or Commissions. Ms. Etchie said she was very interested in doing that and has been speaking with David Olson, City Clerk, about ways to get more students involved in those other Boards/Commissions. It would be helpful to her to have a description of each Board/Commission and when and how often they meet in order to find several that might be appropriate for youth

membership. The members of the Youth Commission may have recommendations of other students to fill those roles as well.

A Committee member asked how the students on the Youth Commission report back to their constituency on their work. Ms. Etchie said that each of the Youth Commission meetings are open meetings and the members invite their friends and try to get the word out. Commissioners, during school time, can be a voice among the school community to promote the work of the Youth Commission and also do some recruiting.

The Chair noted that Councilor Sangiolo was unable to attend the meeting, but sent word that she was concerned that no Newton South members were on the Commission and were not asked to serve. Ms. Etchie said there is one Commissioner who is a student from Newton South, five from Newton North, and one from the Windsor School. Two students on the Advisory Board are also Newton South students and one Newton South guidance counselor is as well. They have begun to hold their meetings alternately at North and South to increase visibility at both schools, and started them earlier to make them more accessible. She has been talking to the Principal, teachers and guidance counselors at South in order to increase recruitment and has actively been looking for South students to join. It is not true that Newton South students were not recruited or asked to join the Youth Commission.

A Councilor asked if there should be a minimum number of representatives from both North and South. Maura O'Keefe said she would advise against that because votes might be invalidated if someone were not in attendance to fulfill those quota requirements. Ms. Etchie said there are a variety of students involved from a variety of schools including those who are home-schooled, attend private and alternative schools and middle-schools. Having requirements on membership by school could be limiting. For instance a couple of years ago, the membership was very much Newton South dominated. These things can shift and fluctuate in an organic way.

Ms. Etchie also explained that her predecessor had a very strong relationship with many teachers at Newton South. When she left, there was an intentional decision by teachers to not be involved with the Youth Commission, for one reason or another, and those relationships have been difficult to repair. This has made it difficult to get students from South involved. She believes her current recruitment strategies will even things out more as time goes on and student bodies across the City will be interested in serving. The Chair pointed out that the appointees to the Youth Commission come through the Programs & Services Committee so it can be an ongoing discussion as those occur. A Committee member wondered if there should be some statement in the ordinance that recruitment of students from all parts of the City is encouraged. Ms. Etchie felt that goal is implied and her predecessor felt that as well. A Committee member felt that geographical balance was far less important than diversity of race, gender, sexual orientation, etc. Ms. Etchie said this is a citywide representative voice for all young people and that is something she reiterates over and over.

It was asked if the Youth Commission had a budget. Ms. Etchie reported that there is approximately \$3K to \$4K in their account. They are planning on a leadership conference with local leaders to train youth leaders. Other school leaders would be invited as well about how they work and continue the work in the future in college and as an adult.

The draft Council Order is attached.

There was a motion to approve and the Committee voted in favor unanimously.

#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]

Action: **Held 4-0 (Councilor Leary not voting)**

Note: President Lennon and Vice President Lappin joined the Committee. They explained that they docketed this item in response to conversations with David Olson, City Clerk/Clerk of the Council in which he stated a preference for a yearly review as opposed to a term review of his salary. All other department heads in the H-grade system receive a yearly review. The Clerk, however, is not interested in entering into the H-grade system, but would still prefer a yearly review. During the Clerk's latest salary review, it was noted that if the Clerk had been given a yearly increase as happens in the H-grade system, his salary would have reached the amount that was presented for approval by the Council.

This change would require a Rules change and might go to a Rules Subcommittee, but could be handled in Committee as well. Generally, if there were several Rules items to be reviewed, or a complicated Rules change, a Subcommittee might be more appropriate. The Chair felt the item could be handled in Committee. The Subcommittee just makes a recommendation to Programs & Services which ultimately takes the vote.

It was asked if the department heads have a performance review to determine their salary, or if it is more a budgetary review. President Lennon said he cannot speak to how the Mayor reviews and decides the salary increases, just that the increases occur each budget cycle. As for the City Clerk, which is under the purview of the City Council, the President and Vice President have not had a formal performance review when deciding salary increases. It is a combination of what the City budget can accommodate, a comparison of how other department heads are being compensated for similar duties and how other communities compare. President Lennon believes that the Clerk is hoping for more of a performance review that could go outside the general confines of the H-grade increases. But in the end, the Mayor's office does have to agree that it is a reasonable request considering various factors. There is a balance that needs to take place.

President Lennon noted that Councilor Baker had an opinion that the salary review should be concurrent with the term and since he is not present, it might be wise to wait until the full

Committee is available. He thought that perhaps Councilor Baker had also mentioned that maybe there should be more latitude for cost of living and performance. He was unsure how that would be accomplished and would have to be a different docket item and under review by the Finance Committee as well. Even though the Comptroller and the City Clerk appointments are made by the City Council and answer directly to the City Council and not the Executive Department, that seems to not extend to the salary and budget for those positions and departments. Other Committee members agreed that there should be a separate docket item to explore this issue more. There could be an issue that two employees might be getting different treatment than others who are all paid under the same City budget. However, there is a need for disparate centers of control between the executive and legislative branches.

President Lennon said that some Councilors have pledged to take a closer look at other department head salaries in the next budget cycle to see how they are being compensated and who might be outside their step and grade in the H-grade system and are on a faster track.

President Lennon asked a School Committee member if the Superintendent got a formal performance review. She said that a state mandated review is performed each year which is not tied to salary. The salary is determined by contract.

While many Committee members felt the salary review should be moved to a yearly cycle, likely concurrent with the budget cycle, the Committee decided to wait until there is a fuller Committee present to vote on this item and hear other points of view.

The Committee voted to hold the item 4-0.

Referred to Programs & Services and Finance Committees

#381-16

Appropriate \$405,900 to supplement School Department busing costs

HIS HONOR THE MAYOR requesting authorization to appropriate and expend four hundred five thousand nine hundred dollars (\$405,900) from the Override Stabilization Fund for the purpose of supplementing busing costs incurred by the Newton Public Schools in transporting student from the Zervas Elementary School neighborhood to the Carr School during the 2016-2017 school year. [10/31/16 @ 2:06 PM]

Action: Approved 4-0 (Councilor Leary not voting)

Note: Liam Hurley, Assistant Superintendent of Finance at Newton Public Schools, addressed the Committee. He stated that this request is to pay for five buses to transport students to and from the Zervas School neighborhood to the Carr School during the construction at Zervas. The School Department pays for buses via a daily rate of \$451 for 180 days a year which comes out to \$180K per bus. This expense was expected and has been budgeted by the Mayor's office as part of the override for the Zervas project.

The buses operate a morning route and an afternoon route which includes the lunch time pick-ups for the kindergarten. All city school buses are contracted out and the bid for the next 5-year contract is going out shortly. The contracts also include rules and regulations on overall supervision and conduct. Write-ups are submitted if any issues occur and it can be challenging to drive and supervise, but by and large the experiences have been good. Regina Moody, the Transportation Coordinator, has not mentioned that discipline has been an issue in Newton more than other places.

Councilor Kalis moved approval and the Committee voted in favor.

Referred to Programs & Services, Public Facilities and Finance Committees

#387-16 Appropriate \$250,000 for renovation of 1st Floor of the Ed Center

HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty thousand dollars (\$250,000) from the Override Capital Stabilization Fund for the purpose of renovating the space on the 1st floor of the Ed Center which has been vacated by the relocation of the Pre-K Program to the Aquinas site to house the Central High School Program, additional professional development meeting space, and general office space. [10/31/16 @ 2:05 PM]

Action: Approved 4-0 (Councilor Leary not voting)

Note: Superintendent of Schools, David Fleishman joined the Committee. He explained that Central High School started in 2009 and is a program for students that are on Individualized Education Programs and keeps students from leaving the district. The program has grown and needs more space for classrooms, lunch, recreational and therapeutic spaces. The pre-school is now at Aquinas so the downstairs space at the Education Center is vacant and it is permanent space. It is not quite ready for use, however, both structurally and cosmetically. This money will provide the needed upgrades for the space. Diana Fisher Gomberg, School Committee Member, noted that the space has been outfitted for preschoolers so the fittings and accommodations need to be changed to accommodate older students.

Karen Shmukler, Assistant Superintendent for Student Services, noted that the Central High program not only keeps students in district, it allows for some students to return from out-of-districts placements. In order to accomplish this, the extra space is needed that the Ed Center can provide. These students receive a range of services within the program and a permanent space at the Ed Center can provide the infrastructure for that. Springboard is housed on the third floor and is a high school regular education alternative program. There will be opportunities for dual programming between the two schools.

Ms. Shmukler explained that there are two annexes. Currently, Central is in one annex and the Middle School Stabilization Program and the Community Connections Program is in the other annex. Community Connections is a program for students 18-22 who need either additional years or age out of the system at 22. That program also has one room at Newton North and is a growing program with 26 current students overall. Historically those students have needed services out-of-

district so the good news is they can stay in Newton. The goal for the annex when Central moves out is that Community Connections can utilize that needed space. The annex spaces have newer windows and heating, but the bathrooms will receive some updates.

A Committee member asked how many students were being served out-of-district. Supt. Fleishman said there are currently 159. For some students, it is considerably more expensive to serve them out of the City and the transportation costs are significant. Many programs are created at the middle school level because that is where the city was losing students. There are students with medical conditions which make it impossible to educate them in Newton public schools, but they are always looking for ways to bring students back. The idea is to look for a cohort of students so there are like peers; it is difficult to bring just one student back. Most families in Newton want their children in district so they do it as much as possible.

A Committee member asked about long-term goals for the Ed Center. The Superintendent said that Central High School is here to stay and the space should accommodate all the programs in that building for a while. Mike Cronin mentioned that there is a facilities assessment for the middle schools and special programming spaces coming up. This will help develop a longer term plan for all those spaces. The advantage of the Ed Center now is that it is far more effective to keep these programs together.

It was asked if an expedited process of school renovation could take place while still educating the students in the City if money were not a constraint. The Superintendent said the school project schedules, thus far, have taken 18 months. If they can continue on that schedule, one swing space should be sufficient. It is very difficult to find more swing spaces. Ms. Gomberg stated that the funding still needs to be determined for Lincoln Elliot. If they did not have to wait for MSBA response and money and could pay for it on their own, they could move forward more quickly. If Horace Mann moves to Carr and Horace Mann is turned into the Community Center, another swing space will be needed. A thought is that the current Lincoln Elliot could be a swing space but it is not in great shape and will need to be renovated. It will also take money to turn the Aquinas site in a new Lincoln Elliot/Preschool, as well as more projects coming down the pike like Ward, Franklin and Countryside. So, yes, if the City had more money, the timeline could be compressed.

Councilor Rice stated that there is a project in Upper Falls of potentially 950 units which could bring 300 students to the Newton Schools. He asked that everyone take note of that and look at perhaps adding a 16th school on the South side.

Councilor Kalis moved approval of the item and the Committee voted in favor.

Meeting adjourned.

Respectfully Submitted,
John B. Rice, Chair

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO. ____

[DATE]

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 12, Health and Human Services, as follows:

1. Amend **Section 12-60** by deleting it and inserting in its place the following language:

“Sec. 12-60. Created; membership; terms; removal; chairperson; officers.

“There is hereby established within the City a Youth Commission, consisting of nine (9) members to be appointed by the Mayor with the approval of the City Council, who will serve without compensation. Such members must be residents of the city or enrolled in a secondary or middle school within the City and will serve for terms not exceeding three (3) years, or until such members are rendered ineligible to serve. All new members will be appointed for a term of a maximum of three (3) years, but no member may serve for more than two (2) consecutive terms. Each member will continue to serve after the expiration of the term until a successor has been appointed and has qualified, unless such member has been rendered ineligible to serve. Vacancies will be filled for the period of the unexpired term in the same manner as original appointments. Any member of the Commission may, after a public hearing, if requested, be removed for cause by the appointing authority. Appointments to unexpired terms will not be counted as a term for the person appointed. The Commission will annually elect one of its members as chairperson and may elect other officers as it deems necessary. Executive or administrative officers of the city government are not eligible to serve on the commission, but may advise it upon request of the Commission. (Rev. Ords. 1973, § 2-315; Rev. Ords. 2001, § 14-57; Ord. No. 81, 7-28-75; Ord. No. X-175, 05-26-05)

Editor's note—As amended in 1970 this section provided for the original members to be appointed or staggered terms of one (1), two (2) and three (3) years.”

2. Amend **Section 12-61** by deleting it and inserting in its place the following language:

“Sec. 12-61. Purposes.

“The purpose of this Commission is to implement programs and policies to meet the opportunities, challenges and issues of Newton youth, pursuant to chapter 40, section 8E, of the Massachusetts General Laws. In addition, the purpose of this Commission is to:

“(a) encourage youth to take leadership roles in the community;

“(b) facilitate opportunities for and access to resources on local, state and federal levels;

“(c) coordinate programs and activities carried on by both public and private agencies;

“(d) create and implement policies for the prevention of youth problems in a cooperative and professional effort;

“(e) create a sense of permanency of action and continuity of purpose for all youth activities.

“To accomplish all of the foregoing, the Commission will coordinate with the Department of Health and Human Services. (Rev. Ords. 1973, § 2-316; Rev. Ords. 2001, § 14-58; Ord. No. 81, 7-28-75; Ord. No. X-175, 05-26-05)”

3. Amend **Section 12-62** by deleting it and inserting in its place the following language:

“Sec. 12-62. Authority to establish rules and regulations.

“The Commission may, with the approval of the Mayor and the knowledge of the Commissioner of Health and Human Services, or designee, establish its own rules and regulations to carry out its goals. (Rev. Ords. 1973, § 2-317; Rev. Ords. 2001, § 14-59; Ord. No. 81, 7-28-75; Ord. No. X-175, 05-25-05)”

4. Amend **Section 12-63** by deleting it and inserting in its place the following language:

“Sec. 12-63. Meetings; reports.

“The Commission will meet at least once each month, except for during July and August. The Commission will keep accurate records as required by the Open Meeting Law. The Commission will submit an annual report to the City Council. In addition to the annual report, the Mayor may request written reports of the activities of the Commission at any time. Five (5) members of the Commission will constitute a quorum and a majority of Commissioners present will be sufficient for the Commission to take any action. (Rev. Ords. 1973, § 2-318; Rev. Ords. 2001, § 14-60; Ord. No. 81, 7-28-75; Ord. No. X-175, 05-26-05)”

5. Amend **Section 12-64** by deleting it and inserting in its place the following language:

“Sec. 12-64. Gifts; grants.

“The Youth Commission may receive gifts of property, both real and personal, in the name of the City, subject to the approval of the City Council. Such gifts, if any, may be managed and controlled by the Commission for the purpose of carrying out any program or policy for which the Commission was established. The Commission will keep informed and remain cognizant of all state and federal legislation concerning funding and program planning for Youth Commissions or related activities which may inure to the benefit of the community as a whole. Any federal or state grants and private gifts or donations received for these purposes will be included in its annual budget to be approved by the Mayor and City Council. The Commission may expend, with the approval of the Mayor, such funds as are appropriated for the purposes stated in section 12-61 of this article. The Commission will prepare an annual operating budget, to be included in the overall department of Health and Human Services budget. (Rev. Ords. 1973, § 2-319; Rev. Ords. 2001, § 14-61; Ord. No. 81, 7-28-75; Ord. No. X-175, 05-26-05)”

6. Amend **Section 12-65** by deleting it and inserting in its place the following language:

“Sec. 12-65. Advisory board to Youth Commission.

“(a) The Mayor shall appoint, with the advice of the Youth Commission, an unpaid Advisory Board to the Youth Commission consisting of not more than thirty (30) members, fifteen (15) of whom shall be secondary or middle school age. Membership of the Advisory Board, except the secondary and middle school members, shall include, so far as practicable, persons representative of existing youth agencies, social agencies, clergy, health, education, law and law enforcement, medical, school, recreation and other public or private organizations concerned with youth. The duty of the Advisory Board shall be to advise the Youth Commission and offer recommendations in respect to matters concerning Newton youth. This Board shall meet at least six (6) times each year. It shall meet with the Youth Commission at least twice a year for the purpose of communicating to it the results of its deliberations and to present any recommendations.

“(b) All members of the Advisory Board will be appointed for a term of two (2) years. The Advisory Board will annually elect one of its members as the chairperson and may elect other officers as it deems necessary. Members of the Board will serve for not more than three (3) consecutive terms. (Rev. Ords. 1973, §2-320, Rev. Ords. 2001, § 14-62; Ord. No. 81, 7-28-75; Ord. No. X-175, 05-26-05)

“Editor's note—As amended in 1970, this section provided that the original members who were not high school youth were to be appointed for staggered terms of one (1) or two (2) years.”