

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, NOVEMBER 5, 2014

Present: Ald. Rice (Acting Chairman), Leary, Norton, Hess-Mahan, Sangiolo, Baker and Kalis

Absent: Ald. Blazar

Also Present: Ald. Fuller and Yates

City Staff Present: Jayne Colino (Director, Senior Services), Alice Bailey (Executive Administrator, Senior Services), Dori Zaleznik (Chief Administrative Officer), Karyn Dean (Committee Clerk)

Council on Aging Members: Susan Paley, Carol Ann Shea, Diane Sostek and Audrey Cooper

Appointment by His Honor the Mayor

#349-14 VINCENT F. O'DONNELL, 10 Leighton Road, Auburndale, appointed as a member of the NEWTON HOUSING AUTHORITY for a term to expire August 15, 2017 (60 days 12/05/14) [09/25/14 @ 1:39PM]

ACTION: **APPROVED 6-0 (Ald. Kalis not voting)**

NOTE: Mr. O'Donnell joined the Committee. He explained that affordable housing has been his career and he is very passionate about the issue. He's been involved with non-profits in a variety of ways but this is an opportunity to be involved with Newton directly. There is privately-owned housing, and publicly-owned housing which people used to think of as "projects" and there is privately-owned subsidized housing as well. These days there are more and more opportunities for the public sector to work with the private sector in providing affordable housing and housing authorities are terrific vehicles for that. Newton has about 1,000 units and he is not under the impression that will solve the affordable housing problem in the City, but he feels it is important to have a public agency be proactive about the issue. It's time to look at new modalities of how to work with other partners and not be a stand-alone owner. His style is very collaborative and he hopes to bring that sensibility and his experience to the NHA.

Mr. O'Donnell explained that the NHA is a public instrumentality and it is not in the City budget. They have to find their own money through rents and through subsidies from the state and HUD primarily. Ald. Baker asked what the NHA has the capacity to do as opposed to what it does. Mr. O'Donnell said he's curious about that too. The NHA has land and has the ability to purchase land and they have purchased buildings around the City. That is typically financed by borrowing debt to be paid for out of the rent and public subsidies, but like any other developer, the NHA can use equity dollars as well. There are ways to do it but being so small, the NHA may have to partner with other organizations in order to leverage that kind of private capital. Getting into certain programs may require that sort of partnership.

Ald. Sangiolo said this is an exciting time to join the NHA. She and a few others have met with them to discuss housing opportunities and how to address affordable housing. There are so many levels they learned about and there is a lot of interest on the Board in keeping Newton affordable.

She got the sense from NHA that they are anxious to work with the City and the Board to start doing some new things. They stopped buying properties, which is unfortunate, but that should be looked into. Ald. Hess-Mahan noted that land and property are very expensive.

Ald. Hess-Mahan noted that he is a member of the Fair Housing Committee and has spent time attending meetings about the Comprehensive Plan and what the issues are for housing and disabilities. There were concerns of maintenance and accessibility. The supply and demand for accessible and adaptable housing is something they need to get a handle on. What they are hearing from developers is that they have those types of units and no one applies from them, but then they also hear from people with disabilities saying there are none available. This needs to be understood better.

Ald. Norton said that while the citizens of Newton are in favor of affordable housing, they don't seem to be terribly in favor of larger, denser housing that is typical in 40B projects. Some alternative ideas that have been discussed are loosening restrictions on accessory apartments, looking at second stories, and the idea of zoning for compact naturally affordable housing. Mr. O'Donnell said the NHA is a public entity so everything is in the public eye and would be subject to public debate and while he supports sensitive implementation of affordable housing, he does not think the NSA would be looking at any 40B projects.

Ald. Rice said it's an interesting time for the NHA and some new ideas and concepts have been coming up.

The Committee voted to approve Mr. O'Donnell's appointment.

Appointment by His Honor the Mayor

#378-14 PETER KASTNER, 49 Woodbine Street, Auburndale, appointed as the *Ward 4 member* of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **APPROVED 6-0 (Ald. Kalis not voting)**

NOTE: Mr. Kastner joined the Committee and explained that he has been serving as an alternate member for many years, originally appointed by Mayor Mann, and is now being appointed as a full member. He was also involved in drafting the ordinance that created the alternate member category. The reason for alternates was that it brought representation to the Commission other than that of active sports, which had dominated the work of the Commission. Issues of open space and policy were not necessarily represented. Since then the Commission has changed quite a bit with interests being more diverse and not focused primarily on sports. Alternate members can take up the responsibilities of full members and participate fully in discussions. The only difference is an alternate can only vote when a full member is not there. Fran Rice is leaving the Commission which opened up this full member slot. His institutional knowledge, talents and dedication will be missed.

Mr. Kastner said the dog parks have settled in and seem to be going well. The Crescent Street issue exemplifies that there are trade-offs that will take place with the City, facilities and the local impact. There is desire for housing and also a desire to reserve that space for a park. With

Crystal Lake, they have to look at how much active use the lake can handle and the fact that it's in a residential neighborhood. Many of these decisions are based on people's experiences and there are no magic formulas. He feels that small pocket parks are worth looking at. The land area may not be large, but could serve a great social service and provide relief for a congested neighborhood.

Ald. Norton asked if a water park was ever proposed for the City. Ald. Rice said there is one by NCSC but the cost of the water is significant and so isn't operating. Ald. Norton also asked about a skatepark, noting that kids are using benches and tennis courts at Newton North for skateboarding, as well as the middle of Walnut Street, so there is interest. Mr. Kastner said there have been discussions in the past with so many conflicting opinions, they were unable to come to any conclusions on that. Ald. Rice said there is skateboarding in the YMCA parking lot, run by the YMCA.

Ald. Sangiolo thanked him for his service and the Committee approved his appointment.

Appointment by His Honor the Mayor

#380-14 SAM FIGLER, 63 Sumner Street, Newton Centre, appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **HELD 4-1-1 (Ald. Sangiolo opposed; Ald. Kalis abstaining)**

NOTE: Mr. Figler addressed the Committee. He said this is his first opportunity to volunteer and he and his family are avid users of the Parks & Recreation system. Mr. Figler says he comes to the Commission with no particular agenda, but one issue he has been thinking about is the opportunity to enhance efficiency and ease of use of some of the facilities. He tried to reserve some fields and the process was not transparent. He was told no fields were available for a two-day period and when they went to the "reserved" field, in fact, no one was using it.

Ald. Norton said she had similar experiences and she was told that people probably just didn't show up. She went to Fessenden and reserved fields, which costs more than Newton, but it was an easy and seamless process. She also found an online form on the City of Waltham website which was also very easy to use. She was pleased that this is something he would like to address. Ald. Rice noted that these are interesting discussions to have. The fields are public property but the sports leagues raise private donations to upkeep the fields - how is that balanced because it happens in cities and towns all over Massachusetts.

Ald. Hess-Mahan explained that Ald. Blazar is unable to be at the meeting due to a commitment with a non-profit organization he works with. Ald. Blazar wanted to have the opportunity to talk to Mr. Figler, as a new member, and asked the Committee to hold this appointment. Ald. Blazar is in Ward 6 and there are some concerns relative to Crystal Lake. Ald. Hess-Mahan explained that when the Ward 6 aldermen became aware that some openings would be available for the Commission, they proposed some candidates to the Mayor's office, but they never got a response. When they saw new appointments on the docket, but none they had proposed, they were surprised.

The Committee suggested that the Ward 6 alderman/aldermen speak to Mr. Figler between now and the next meeting. The Committee said that he would not have to appear again.

The Committee voted to hold this appointment with Ald. Sangiolo opposed and Ald. Kalis abstaining.

Re-appointment by His Honor the Mayor

#381-14 BETHEL CHARKOUDIAN, 18 Maple Avenue, Newton, re-appointed as the *Ward 1 member* of the PARKS & RECREATION COMMISSION for a term to expire April 20, 2016 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **HELD 6-0 (Ald. Baker not voting)**

NOTE: **This note includes items #381-14 through #386-14.** Ald. Blazar had requested that in his absence at this meeting, the Ward 6 appointments/re-appointments be held.

The Committee said they would like to know how long each of the re-appointees has been serving. Perhaps there should be more rotation of the membership in order to bring some new ideas and points of view to the Commission. In light of this, the Committee would like to hold all of these re-appointments and invite them to come to the next meeting for a discussion. Ald. Sangiolo explained that there are some aspects that are handled through the Parks & Recreation Department and may not extend to the Parks & Recreation Commission.

The Committee would like to have lengths of terms included with re-appointments and asked if the Coordinator of Boards and Commissions could add that information going forward.

The Committee voted to hold items #381-14 through #386-14.

Re-appointment by His Honor the Mayor

#382-14 ARTHUR MAGNI, 107 Mt. Vernon Street, West Newton, re-appointed as the *Ward 2 member* of the PARKS & RECREATION COMMISSION for a term to expire January 1, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **HELD 6-0 (Ald. Baker not voting)**

Re-appointment by His Honor the Mayor

#383-14 ANDREW STERN, 56 Tyler Terrace, Newton Centre, re-appointed as the *Ward 6 member* of the PARKS & RECREATION COMMISSION for a term to expire April 20, 2016 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **HELD 6-0 (Ald. Baker not voting)**

Re-appointment by His Honor the Mayor

#384-14 RICHARD TUCKER, 23 Woodman Road, Chestnut Hill, re-appointed as the *Ward 7 member* of the PARKS & RECREATION COMMISSION for a term to expire April 20, 2016 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **HELD 6-0 (Ald. Baker not voting)**

Re-appointment by His Honor the Mayor

#385-14 JACK NEVILLE, 68 High Street, Newton Upper Falls, re-appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire April 1, 2015 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **HELD 6-0 (Ald. Baker not voting)**

Re-appointment by His Honor the Mayor

#386-14 MICHAEL CLARKE, 1115 Beacon Street #9, Newton, re-appointed as an *at-large alternate member* of the PARKS & RECREATION COMMISSION for a term to expire January 1, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

ACTION: **HELD 6-0 (Ald. Baker not voting)**

#377-14 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 @ 5:43PM]

ACTION: **HELD 6-0 (Ald. Baker not voting)**

NOTE: Ald. Hess-Mahan explained that several aldermen have reported that questions have arisen in the community about changes in the use of the Senior Center. Ald. Sangiolo said they understand that Veteran's programs have been held there and other groups have been renting space as well. This Committee has heard during budget season, for several years, that space is tight at the Senior Center, and now they are hearing that more programs will be taking place there. The question is whether or not the building can accommodate the increased use and if it will impact the intended use of the building – senior programming.

Council on Aging

Marian Knapp, Chair of the Council on Aging addressed the Committee. She said the first concern is that Ms. Colino has always kept the Council very aware of anything that might be going on with the community or the building or programming. She mentioned to the COA that she heard that the name of the Center might be changed, but none of the COA members had ever been consulted. They had even seem some correspondence referring the Senior Center by its address only. They then asked to meet with the Mayor to discuss this and other concerns. The Mayor presented his vision and the COA made their concerns known. They wanted to be assured that there would be no decreases in services to seniors including programming, personnel and space. The number of seniors in the City is increasing dramatically and COA wants to be sure there are adequate services. The Mayor assured them that no decisions had yet been made about changing the name of the building or the use of the building, and there would be a follow-up discussion. They are looking forward to a follow-up discussion. There has been quite a bit of nervousness and concern in the community that either the Center itself or important services and programs will be lost.

Programming

Dori Zaleznik, Chief Administrative Officer, said the hope was to have a meeting and bring the facts back to the Board. There is no attempt at all to take away the Center from seniors or diminish services at all. The administration realizes the senior population is on the rise and

wants to provide for them. They've been hearing from seniors that they would like more activities out in the community and not solely in the Center itself. While they don't want to diminish what is happening at the Senior Center, they would like to explore whether there are other opportunities in the community that aren't under the auspices of the Senior Center, like some of the programs offered by Parks & Recreation.

Name Change

Ms. Zaleznik went on to say that there was some discussion about changing the name of the Senior Center but there was never a plan to go around the users of the building in order to do so. The effort was discuss renaming it for two reasons: to open the building after hours when seniors are not there, to make better use of a public building. For example, veteran's activities could take place when the building is closed; and to follow the lead of other communities that have determined that for them, the time for calling the facility a "senior" center might be passed. Needham for example has taken "senior" out of the name of the facility. She explained that she spoke to the Law Department and was told that customarily, the users of a building would be the ones to decide on a name change. The administration has also heard that perhaps there is a desire for some multi-generational programming as well. They wanted to bring this option up to Ms. Colino and the COA and let them decide on a new name, or keep the same name.

Committee members asked if "345 Walnut Street" is going to be what is used for now. Ms. Zaleznik said for the veteran's events they are referring to it as the Veteran's Services Center meeting at 345 Walnut Street and that is their intention for now. There was some concern that younger veterans might not feel comfortable to be attending a meeting at a Senior Center, and it was just more descriptive to use the address as the location. The same thing was true for the STEM meetings that took place there as well. She pointed out that many people don't know the location of the Senior Center.

There was sentiment in Committee that keeping "Senior" in the name was very important and it was a source of pride. It's important to its identity and extends the brand equity when inviting a more intergenerational approach. Newton's Senior Center was a model for many other communities at its inception. Some members of the COA felt the same way.

Social Services Personnel

There are three social service positions in the City; two at the Senior Center and one in City Hall, and all three had caseloads. Ms. Knapp said her understanding is that the three positions will remain, but one will be changed to a supervisory position. Ms. Zaleznik explained that the supervisor will supervise the two positions at the Senior Center, but will also do social services work at City Hall. Therefore, sometimes, the supervisor will be at the Senior Center, and on some occasions, one of the two positions at the Senior Center will move to City Hall for supervision purposes and also to see the seniors that walk-in at City Hall. In the past, if a senior walked into City Hall for services, they were told they had to go to the Senior Center to see a social worker there. The idea is to have problems handled wherever someone might present themselves.

Building Concerns

The Committee had concerns that the Senior Center needs updating and needs more space and generally needs more resources for upgrading considering the plan is to put more people and more services in that facility. COA members said that the condition of the building is of great concern. There is a back entrance that is crumbling and useless and provides a safety hazard for those in wheelchairs. It was suggested the Commission on Disability be made aware of that. Ms. Zaleznik said the Senior Center is on the Capital Improvement Plan, although not high up on the list right now, however, when things come forward that require more attention, items move up. It was noted by Committee members that this can be discussed at budget time as well.

It was noted by some of the COA members that even though other programming might be happening after hours, the set-up for some of these events took place during their open hours and their programming was affected by that. They also said the Ms. Colino was there late at night putting things back where they needed to be after some of these meetings and that did not seem to be an appropriate use of her time. Booking and scheduling takes more time as more activities are brought there, and that also takes time away from that staff person to be working on Senior Center duties. There was also a question of who will pay for the electricity, heat and custodian for the building during the “off “ hours. Alice Bailey explained she does not have those resources in her budget.

The COA explained that they are not saying that they don't welcome other uses in the building, it's just that accommodations and logistics need to be sorted out. They have always welcomed and tried to encourage intergenerational interaction and programming. Ald. Rice agreed and noted that he has had experience with these transitional times as Director of the Hyde Center. It's important to get procedures in place.

Ms. Colino said they do have policies regarding building use. They have always given first preference to non-profits who serve seniors and it was generally depends on the availability of the custodians. The users pay the custodians and the custodians know the building.

Conclusions

The Committee felt that the ideas from the administration may all be valid, but one of the concerns is that the COA was not consulted and brought into the conversation from the beginning. Instead, the Mayor offered his vision to them without any of their input and they are the people who have the most knowledge of what happens in the Center and what the needs are on the ground.

Ms. Zaleznik reassured everyone that the initial meeting was just that and there are many more follow-up meetings to come. This was not meant to try to circumvent anyone's interests. The Committee appreciated the information and looks forward to hearing the ongoing progress of the discussions. Ms. Zaleznik said this would not be a quick process and they would update the Committee when there is more to talk about. She will bring all these concerns and comments to the Mayor.

The Committee voted to hold this item until there is more to report from the Administration, the Council on Aging, and Ms. Colino.

#340-14 ALD. NORTON requesting to amend the City of Newton Charter to ~~also include the term “Alderwoman” in text that refers to individuals who serve on the Board of Aldermen as “Aldermen”~~ replace the term “Board of Aldermen” with “City Council” and replace the term “Alderman” with “Councillor”. [09/08/14 @ 4:10PM]

ACTION: **AMENDED AND HELD 6-0 (Ald. Baker not voting)**

NOTE: Ald. Norton said that Ald. Cote reached out to Professor Jeanne Levesque at Boston College and she provided some etymological history for the term “Aldermen”. It is attached to this report.

Ald. Norton said when the term was first used, it was appropriate because all of the Aldermen were male. She felt that times have changed and as we know better, we should do better. Some feel that Alderman is a generic term, but she does not feel that way. It is time to change the male-based nomenclature to a term or terms that reflect the make-up of the Board. She would like to have the option to use Alderwoman along with Alderman, or change entirely to a non-gender based term such as Councillor. It is inappropriate in 2014 to use Alderman for a woman. The cost of changing the name would be minimal as most materials are online

Ald. Hess-Mahan agreed that alderman is not gender-neutral. Newton had a bicameral system that was made up of a Common Council or City Council and a Board of Alderman. Going back to a City Council would not be that difficult but would require Home Rule Legislation to change the City Charter. He wanted to remind people that until the 1960s, a married couple was treated as one person, and that one person was the man. It treated women as property and the law changed. Ald. Kalis agreed with Ald. Hess-Mahan and Norton. It matters how people are addressed and it's a matter of respect that should be taken seriously.

Ald. Yates felt that references to archaic laws are irrelevant to this. He felt that Alderman is a gender-neutral, generic term. The need for a Home Rule Petition would be a waste of chits from the state house to take this on when he feels it is unnecessary and should be saved for something more urgent. The members of the Board of Aldermen should be addressed the way they feel best, and the Rules of the Board could be changed to say just that. Ald. Norton said Ruth Balser is strongly in favor of this change and she feels there would be no burden to the delegation in taking this on. She also feels that Senator Mark Pacheco, who runs that Committee, would not feel unduly burdened either.

Some members felt that changing the terms entirely to City Council and Councillor may be a good option. A straw vote of the Committee showed that there is a preference for that and voted to amend the item. The Committee voted to hold the item and get language from the Law Department for the Home Rule Petition.

#339-14 ALD. HESS-MAHAN AND SANGIOLO requesting discussion with the Mayor's Office, the Law Department and the Clerk's Office concerning training of staff and members of Commissions, Boards and Committees to ensure compliance with the requirements of the Open Meeting Law Commissions, particularly with respect to meeting minutes. [09/05/14 @ 2:40PM]

ACTION: **NO ACTION NECESSARY 5-0 (Ald. Baker and Hess-Mahan not voting)**

NOTE: Ald. Sangiolo explained that she and Ald. Hess-Mahan are satisfied with the documentation they received from the Law Department regarding their concerns about some Boards and Commissions not meeting certain requirements of the Open Meeting Law. An email from City Solicitor, Donnalyn Kahn was attached to the agenda. The Committee voted No Action Necessary.

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

#36-12 ALD. CROSSLEY & FULLER requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.

A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;

B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale.

[01/24/12 @ 8:07 AM]

ACTION: **NO ACTION NECESSARY 6-0 (Ald. Baker not voting)**

NOTE: Ald. Fuller joined the Committee. She explained that this issue is being worked on and there has been some feedback from realtors, the Law Department and other aldermen. There is still work to do and it may take a little while. She and Ald. Crossley felt that this item could be voted No Action Necessary and if it requires any consideration in this Committee they will re-docket the item.

The issue is that if anyone has a broken sewer lateral, every other resident is paying for it. It is possible to inspect these lines but it is complicated process when tying this to real estate sales. The cost benefit has to be calculated. It was asked how much is being lost by the laterals and Ald. Fuller said the City is working on all of the city sewer lines so the infiltration will be coming in through the privately owned laterals and it is significant. Committee members felt it made sense to do repairs when properties change hands. Ald. Fuller noted that no other community is doing this so the realtors and banks need to know about this and what needs to be done.

The Committee voted No Action Necessary on this item.

#145-12 ALD JOHNSON requesting a review by the Solicitor's office as to what constitutes "reorganization" per our City Charter. [05/16/12 @ 10:24PM]

ACTION: **NO ACTION NECESSARY 5-0 (Ald. Baker and Hess-Mahan not voting)**

NOTE: Ald. Johnson sent word to the Committee that this item could be voted No Action Necessary. The Committee voted as such.

Respectfully Submitted,

Amy Mah Sangiolo

----- Forwarded message -----

From: **Jeanne Levesque** <jeanne.levesque@bc.edu>
Date: Wed, Oct 15, 2014 at 4:17 PM
Subject: Term Alderman
To: James Cote <jcote@newtonma.gov>
Cc: Jack Dunn <jack.dunn@bc.edu>

Hi Alderman Cote. Below is information that I received from Associate Professor Celeste Wells in our Communications Department regarding use of the term alderman. She qualified her response as what she could find out doing some quick, initial research on the term and that research on the contemporary use of the term does not appear to be prevalent. I hope this information, however, is helpful to you and others on the Board. If you have any follow up questions or comments, please let me know.

Jeanne

The etymological roots of the term Alderman are Old English and mean leader, chief or patriarch. The term is, by root, a name hailing a male leader. The term was "imported" to the US and has been used in many towns and cities in New England, the Mid-Atlantic and Mid-West. That said, the term has been abandoned in many locations due to its roots within a primarily patriarchal system.

Those that have moved away from said term have most commonly renamed government officials "council members" or "councilmen" and "councilwomen". This is the most logical choice as even a group of aldermen (both men and women) appear to be called a "council". There is at least one example of a town, Madison, WI, calling their officials "alders" versus council members. While this appears to have addressed the gender issue, it is not (from what I have seen) a "legitimate" term as it is literally defined as "a type of tree or shrub that grows in wet ground in some northern countries" (Merriam, 2014). It would be necessary to do further research to confirm, but it is assumed that the term "Alders" was a quick fix to a vexing issue.

There is at least one large metropolitan city, Chicago, that has chosen not to change the term "alderman" (see <http://www.wbez.org/series/curious-city/alder-man-ia-why-chicago-hasnt-dumped-gender-exclusive-term-110215>), thus there is some precedent for keeping the name unchanged. That said, the term is antiquated in not only gender terminology but in its meaning as, in certain situations historically, alderman were not democratically elected but chosen by elected officials versus the people.

Jeanne Levesque
Director of Government Relations
[617-552-4789](tel:617-552-4789)

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.

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