

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, DECEMBER 3, 2014

7:45 PM  
Room 222

**ITEMS SCHEDULED FOR DISCUSSION:**

Appointment by His Honor the Mayor

#379-14      PAT PALMER, 37 Arapahoe Road, Newton, appointed as an *at-large alternative member* of the PARKS & RECREATION COMMISSION for a term to expire October 31, 2017 (60 days 1/2/15) [10/22/14 @ 1:14PM]

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]

#356-14      ALD. HESS-MAHAN AND DANBERG, requesting a RESOLUTION of the Newton Board of Aldermen on behalf of Newton Dialogues on Peace & War, declaring support for the U.S. Conference of Mayors' program "Mayors for Peace," of which the City of Newton has been a member since 2005, and its goal of eliminating all nuclear weapons by 2020. [09/10/14 @ 3:15PM]

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#464-14      ALD. SANGIOLO requesting discussion with the Department of Veteran's Services and the Executive Department regarding updates on programming at the Newton Senior Center and budgeting for new initiatives.[11/24/14 @ 3:41PM]

#340-14      ALD. NORTON requesting to amend the City of Newton Charter to ~~also include the term "Aldерwoman" 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]

**AMENDED IN PROGRAMS & SERVICES 11/5/14**

**Clerk's Note:** *The Chair is proposing a No Action Necessary vote on the following item as #59-14 makes it redundant:*

#95-13(2)      THE PROGRAMS & SERVICES COMMITTEE requesting an update from the Health Care Advisory Committee. [09/12/13 @ 9:49AM]

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The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact John Lojek, at least two days in advance of the meeting: [jllojek@newtonma.gov](mailto:jllojek@newtonma.gov), or 617-796-1064. For Telecommunications Relay Service dial 711.

**ITEMS NOT SCHEDULED FOR DISCUSSION:**

#377-14 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 @ 5:43PM]

**REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

#375-14 HIS HONOR THE MAYOR submitting the FY16-FY20 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/15/14 @ 3:01 PM]

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#216-14 ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, NORTON AND SANGIOLLO 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]

**REFERRED TO PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES**

#119-14 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]

#59-14 ALD. HESS-MAHAN AND BLAZAR requesting discussion with the Executive Department and the Health Care Advisory Committee concerning plans to implement recommendations contained in the First Report of the Health Care Advisory Committee to control the cost of health insurance while improving or maintaining the quality of care. [02/18/14 @ 6:39 PM]

**REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEE**

#402-13 ALD. FULLER, GENTILE, RICE and LINSKY requesting a Home Rule Petition to amend Article 9 of the Charter to clarify that Neighborhood Area Councils shall maintain and control their own financial accounts and records, independent

of City finances; and to further clarify that such independent financial accounts and records shall remain subject to City audit. [10/28/13 @ 10:18 AM]

- #399-13 ALD. LINSKY, HESS-MAHAN, ALBRIGHT, CROSSLEY, DANBERG, BLAZAR, LAREDO & SCHWARTZ requesting to re-charge a task force to devise recommendations as to best practices and/or potential regulatory approaches to achieve improvements regarding the use of leaf blowers in the City of Newton. [10/28/13 @ 7:01 PM]
- #398-13 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]
- #397-13(3) ALD. SANGIOLO AND DANBERG requesting creation of an ordinance to protect trees deemed historic by the Historical Commission and the City's Tree Warden. [05-05-14 @ 4:32 PM]
- #199-13 ALD. JOHNSON AND SANGIOLO requesting an update from the School Committee and School Department regarding the request from the Board of Aldermen to reduce the family cap on activity fees. [05/20/13 @ 11:05 PM]
- #34-13 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]
- #334-12 ALD. SWISTON AND LINSKY requesting a discussion with the Licensing Board regarding the licensing and permit requirements for non-profit organizations. [10/10/12 @ 3:52 PM]

**REFERRED TO FINANCE AND APPROPRIATE COMMITTEES**

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #254-12(3) PROGRAMS & SERVICES COMMITTEE proposing an ordinance to require a fee, charged to consumers, for the use of paper bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 pm]

#229-12 RECODIFICATION COMMITTEE recommending a review and possible amendment to the *Board of Aldermen Rules & Orders 2012-2013* relative to review of draft ordinances by the Law Department.

**REFERRED TO PROG & SERV, PUB. FACIL. AND FINANCE COMMITTEES**

#312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10/27/10 @11:07 AM]

Respectfully Submitted,

Amy Mah Sangiolo



SETTI D. WARREN  
MAYOR

City of Newton, Massachusetts  
Office of the Mayor

#379-14

Telephone  
(617) 796-1100

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(617) 796-1113

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RECEIVED  
Newton City Clerk  
2019 OCT 22 PM 1:14  
David A. Olson, CMC  
Newton, MA 02459  
warren@newtonma.gov

October 22, 2014

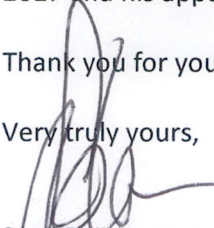
Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to appoint Pat Palmer of 37 Arapahoe Road, Newton as an at-large alternate member of the Parks and Recreation Commission. His term of office shall expire October 31, 2017 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](http://www.newtonma.gov)

DEDICATED TO COMMUNITY EXCELLENCE





**Patrick V. Palmer**

37 Arapahoe Road  
Newton, MA 02465

**Leadership Consultant**

Senior and executive manager with extensive leadership background in operations, 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 \$950MM budget, administratively supervised 2200 employees**
- **Raised over \$6.0MM 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.
- Trained and mentored the management staff in the areas of strategic and business planning, fiscal management, financial development, customer service, business and community partnership development, human resources development, and team management concepts.
- Led the staff in unique and aggressive marketing plans to attract 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 \$8MM and 125 employees.

- Raised funds from large corporate ownership and completed the \$2.5MM Strategic and Capital Plans for the renovation of two 18-hole golf courses and the 55,000 square foot Clubhouse refurbishment – managed the 1<sup>st</sup> 18-hole renovation and completed the design of the Clubhouse remodeling and the second 18-hole construction.
- Mentored 6 senior managers and their staff in the areas of professional development, crisis management, team building, interpersonal skills, leadership, community development, marketing, sales, customer service, 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 \$1.5MM 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.
- Hosted over 300 special events for Profit and Not-For-Profit groups in their efforts to raise funds.



**Patrick V. Palmer***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, 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, 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**Board Member, Newton Pride Committee – 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*



SETTI D. WARREN  
MAYOR

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Office of the Mayor

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October 22, 2014

Honorable Board of Aldermen  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to reappoint Andrew Stern of Tyler Terrace, Newton as the Ward 6 member of the Parks and Recreation Commission. His term of office shall expire April 20, 2016 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



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, Resort & Golf 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 2013-2014 *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.

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**From:** Guntram Mueller <[guntrammueller1@gmail.com](mailto:guntrammueller1@gmail.com)>

**Sent:** Wednesday, November 26, 2014 12:38 PM

**To:** Theodore M. Hess Mahan; Victoria Danberg; smirsky; [bevdroz@comcast.net](mailto:bevdroz@comcast.net); Dan Shaw; Elizabeth B. Gerlach; Nancy Wrenn; Joan Ecklein; David Ascher; Guntram Mueller

**Subject:** The U.S. Conference of Mayors resolution, adapted to Newton Board of Aldermen

Hello Ted,

Here is the resolution passed unanimously by the U.S. Conference of Mayors in June 2014, except that I've changed all the "Be it resolved that the U.S. Conference of Mayors ..." to "Be it resolved that the Newton Board of Aldermen ...".

We fully support both versions. If there is a problem with whichever one you want to put forward, please let me know. I'm pretty well informed, and could probably answer any questions in short order.

Many thanks for your help and support.

Guntram Mueller

## **CALLING FOR CONSTRUCTIVE GOOD FAITH U.S. PARTICIPATION IN INTERNATIONAL NUCLEAR DISARMAMENT FORUMS**

**WHEREAS**, Article VI of the Nuclear Nonproliferation Treaty (NPT), which entered into force in 1970, and is part of the supreme law of the land pursuant to Article VI of the U.S. Constitution, states: "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament"; and

**WHEREAS**, in 1996, the International Court of Justice (ICJ), the judicial branch of the United Nations (UN) and the highest court in the world on questions of international law, issued an authoritative interpretation of Article VI, unanimously concluding: "There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control"; and

**WHEREAS**, forty-four years after the NPT entered into force, an estimated 16,400 nuclear weapons, most held by the U.S. and Russia, pose an intolerable threat to humanity, and there are no disarmament negotiations on the horizon; and

**WHEREAS**, the U.S. and the eight other nuclear weapon possessing states are investing an estimated \$100 billion annually to maintain and modernize their nuclear arsenals while actively planning to deploy nuclear weapons for the foreseeable future; and

**WHEREAS**, the U.S. - Russian conflict over the Ukraine may lead to a new era of confrontation between nuclear-armed powers, and nuclear tensions in the Middle East, Southeast Asia and on the Korean peninsula remind us that the potential for nuclear war is ever present; and

**WHEREAS**, in December 2012, the UN General Assembly established a working group open to all member states (the "Open-Ended Working Group") "to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons," and scheduled for September 26, 2013 the first-ever High-Level meeting of the UN General Assembly devoted to nuclear disarmament; and

**WHEREAS**, in December 2013, the UN General Assembly adopted a resolution which: "Calls for the



urgent commencement of negotiations, in the Conference on Disarmament, for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer and use or threat of use, and to provide for their destruction;".... "Decides to convene, no later than 2018, a United Nations high-level international conference on nuclear disarmament to review the progress made in this regard;" and "Declares 26 September as the International Day for the Total Elimination of Nuclear Weapons devoted to furthering this objective, including through enhancing public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination;" and

**WHEREAS**, delegations representing 146 States, the UN, the International Committee of the Red Cross, the Red Cross and Red Crescent movement and civil society organizations participated in the Second Conference on the Humanitarian Impact of Nuclear Weapons held in Nayarit, Mexico, February 13 – 14, 2014, to discuss global and long-term consequences of any nuclear detonation, accidental or deliberate, including impacts on public health, humanitarian assistance, the economy, the environment, climate change, food security and risk management; and

**WHEREAS**, Juan Manuel Gómez Robledo, Mexico's Vice Minister for Multilateral Affairs and Human Rights, Chair of the Nayarit Conference, concluded: "The broad-based and comprehensive discussions on the humanitarian impact of nuclear weapons should lead to the commitment of States and civil society to reach new international standards and norms, through a legally binding instrument...[The] time has come to initiate a diplomatic process conducive to this goal... compris[ing] a specific timeframe, the definition of the most appropriate fora, and a clear and substantive framework... The 70th anniversary of the Hiroshima and Nagasaki attacks is the appropriate milestone to achieve our goal"; and

**WHEREAS**, August 6 and 9, 2015 will mark the 70th anniversaries of the U.S. atomic bombings of Hiroshima and Nagasaki, which killed more than 210,000 people by the end of 1945, while the remaining "hibakusha" (A-bomb survivors) continue to suffer from the physical and psychological effects of the bombings; and

**WHEREAS**, the people of the Republic of the Marshall Islands (RMI) continue to suffer from the health and environmental impacts of 67 above-ground nuclear weapons test explosions conducted by the U.S. in their islands between 1946 and 1958, the equivalent of 1.6 Hiroshima-sized bombs detonated daily for 12 years; and

**WHEREAS**, the RMI on April 24, 2014 filed landmark cases in the ICJ against the U.S. and the eight other nuclear-armed nations claiming that they have failed to comply with their obligations, under the NPT and customary international law, to pursue negotiations for the worldwide elimination of nuclear weapons, and filed a companion case in U.S. Federal District Court; and

**WHEREAS**, the Administration's FY 2015 budget request for maintenance and modernization of nuclear bombs and warheads, at more than \$8.7 billion, in constant dollars exceeds the amount spent in 1985 for comparable work at the height of President Reagan's surge in nuclear weapons spending, which was the highest point of Cold War spending; and

**WHEREAS**, this enormous commitment to modernizing nuclear bombs and warheads and the laboratories and factories to support those activities does not include even larger amounts of funding for planned replacements of delivery systems – the bombers, missiles and submarines that form the strategic triad; in total, according to the General Accounting Office, the U.S. will spend more than \$700 billion over the next 30 years to maintain and modernize nuclear weapons systems; the James Martin Center places the number at an astounding one trillion dollars; and

**WHEREAS**, this money is desperately needed to address basic human needs such as housing, food security, education, healthcare, public safety, education and environmental protection; and

**WHEREAS**, the U.S. Conference of Mayors has adopted resolutions each year since 2010 calling for deep cuts in nuclear weapons spending and redirection of those funds to meet the needs of cities and adopted an additional resolution in 2011 "Calling on Congress to Redirect Military Spending to Domestic Needs"; and in 2013 called on the U.S. to participate in good faith in the UN Open-Ended

Working Group and High-Level Meeting on nuclear disarmament, and the Nayarit Conference on the Humanitarian Impact of Nuclear Weapons; and

**WHEREAS**, Mayors for Peace continues to advocate for the immediate commencement of negotiations to eliminate nuclear weapons by 2020 and its membership has grown ten fold since the “2020 Vision Campaign” was launched in 2003, surpassing 6,000 members in 158 countries, representing one seventh of the world’s population; and Mayors for Peace, with members in the U.S. and Russia; India and Pakistan, and Israel, Palestine and Iran can be a real force for peace,

**NOW, THEREFORE, BE IT RESOLVED**, that the Newton Board of Aldermen expresses its deep concern that the UN Open-Ended Working Group on nuclear disarmament and the Nayarit Conference on the Humanitarian Impact of Nuclear Weapons took place without the participation of the U.S., Russia, the United Kingdom, France and China; that at the September 26, 2013 UN High-Level Meeting on nuclear disarmament, the U.S. joined with France and the UK in a profoundly negative statement, delivered by a junior British diplomat: “While we are encouraged by the increased energy and enthusiasm around the nuclear disarmament debate, we regret that this energy is being directed toward initiatives such as this High-Level Meeting, the humanitarian consequences campaign, the Open-Ended Working Group and the push for a Nuclear Weapons Convention”; and that the U.S. voted against the 2013 UN General Assembly resolution calling for urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a nuclear weapons convention; and

**BE IT FURTHER RESOLVED**, that the Newton Board of Aldermen calls on the U.S. to participate constructively and in good faith in the Third Conference on the Humanitarian Impact of Nuclear Weapons to be hosted by Austria in Vienna, December 8 – 9, 2014, and to press the other nuclear weapon states to do likewise; and **BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors calls on the U.S. to participate constructively and in good faith in urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons, and to press the other nuclear weapon states to do likewise; and

**BE IT FURTHER RESOLVED**, that the Newton Board of Aldermen commends the Republic of the Marshall Islands for calling to the world’s attention the failure of the nine nuclear-armed states to comply with their international obligations to pursue negotiations for the worldwide elimination of nuclear weapons, and calls on the U.S. to respond constructively and in good faith to the lawsuits brought by the RMI; and

**BE IT FURTHER RESOLVED**, that the Newton Board of Aldermen calls on the U.S. to demonstrate a good faith commitment to its disarmament obligation under Article VI of the NPT by commencing a process to negotiate the global elimination of nuclear weapons within a timebound framework, under strict and effective international control, at the May 2015 NPT Review Conference, and to press the other nuclear weapon states to do likewise; and

**BE IT FURTHER RESOLVED**, that the Newton Board of Aldermen urges President Obama to engage in intensive diplomatic efforts to reverse the deteriorating U.S. relationship with Russia; and

**BE IT FURTHER RESOLVED**, that the Newton Board of Aldermen calls on the President and Congress to reduce nuclear weapons spending to the minimum necessary to assure the safety and security of the existing weapons as they await disablement and dismantlement, and to redirect those funds to meet the urgent needs of cities; and

**BE IT FURTHER RESOLVED**, that the Newton Board of Aldermen proclaims September 26 as the International Day for the Total Elimination of Nuclear Weapons and supports activities to enhance public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination; and

**BE IT FURTHER RESOLVED**, that the Newton Board of Aldermen encourages all U.S. mayors for join Mayors for Peace; and

**BE IT FURTHER RESOLVED**, that the Newton Board of Aldermen expresses its continuing support for and cooperation with Mayors for Peace.



*Adopted unanimously by the U.S. Conference of Mayors at its 82<sup>nd</sup> Annual Meeting  
June 23, 2014, Dallas, Texas*

**CALLING FOR CONSTRUCTIVE GOOD FAITH U.S. PARTICIPATION IN  
INTERNATIONAL NUCLEAR DISARMAMENT FORUMS**

**WHEREAS**, Article VI of the Nuclear Nonproliferation Treaty (NPT), which entered into force in 1970, and is part of the supreme law of the land pursuant to Article VI of the U.S. Constitution, states: “Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament”; and

**WHEREAS**, in 1996, the International Court of Justice (ICJ), the judicial branch of the United Nations (UN) and the highest court in the world on questions of international law, issued an authoritative interpretation of Article VI, unanimously concluding: “There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control”; and

**WHEREAS**, forty-four years after the NPT entered into force, an estimated 16,400 nuclear weapons, most held by the U.S. and Russia, pose an intolerable threat to humanity, and there are no disarmament negotiations on the horizon; and

**WHEREAS**, the U.S. and the eight other nuclear weapon possessing states are investing an estimated \$100 billion annually to maintain and modernize their nuclear arsenals while actively planning to deploy nuclear weapons for the foreseeable future; and

**WHEREAS**, the U.S.- Russian conflict over the Ukraine may lead to a new era of confrontation between nuclear-armed powers, and nuclear tensions in the Middle East, Southeast Asia and on the Korean peninsula remind us that the potential for nuclear war is ever present; and

**WHEREAS**, in December 2012, the UN General Assembly established a working group open to all member states (the “Open-Ended Working Group”) “to develop proposals to take forward multilateral nuclear disarmament negotiations for the achievement and maintenance of a world without nuclear weapons,” and scheduled for September 26, 2013 the first-ever High-Level meeting of the UN General Assembly devoted to nuclear disarmament; and

**WHEREAS**, in December 2013, the UN General Assembly adopted a resolution which: “Calls for the urgent commencement of negotiations, in the Conference on Disarmament, for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer and use or threat of use, and to provide for their destruction;”.... “Decides to convene, no later than 2018, a United Nations high-level international conference on nuclear disarmament to review the progress made in this regard;” and “Declares 26 September as the International Day for the Total Elimination of Nuclear Weapons devoted to furthering this objective, including through enhancing public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination;” and

**WHEREAS**, delegations representing 146 States, the UN, the International Committee of the Red Cross, the Red Cross and Red Crescent movement and civil society organizations



participated in the Second Conference on the Humanitarian Impact of Nuclear Weapons held in Nayarit, Mexico, February 13 – 14, 2014, to discuss global and long-term consequences of any nuclear detonation, accidental or deliberate, including impacts on public health, humanitarian assistance, the economy, the environment, climate change, food security and risk management; and

**WHEREAS**, Juan Manuel Gómez Robledo, Mexico’s Vice Minister for Multilateral Affairs and Human Rights, Chair of the Nayarit Conference, concluded: “The broad-based and comprehensive discussions on the humanitarian impact of nuclear weapons should lead to the commitment of States and civil society to reach new international standards and norms, through a legally binding instrument... [The] time has come to initiate a diplomatic process conducive to this goal... compris[ing] a specific timeframe, the definition of the most appropriate fora, and a clear and substantive framework... The 70th anniversary of the Hiroshima and Nagasaki attacks is the appropriate milestone to achieve our goal”; and

**WHEREAS**, August 6 and 9, 2015 will mark the 70<sup>th</sup> anniversaries of the U.S. atomic bombings of Hiroshima and Nagasaki, which killed more than 210,000 people by the end of 1945, while the remaining “hibakusha” (A-bomb survivors) continue to suffer from the physical and psychological effects of the bombings; and

**WHEREAS**, the people of the Republic of the Marshall Islands (RMI) continue to suffer from the health and environmental impacts of 67 above-ground nuclear weapons test explosions conducted by the U.S. in their islands between 1946 and 1958, the equivalent of 1.6 Hiroshima-sized bombs detonated daily for 12 years; and

**WHEREAS**, the RMI on April 24, 2014 filed landmark cases in the ICJ against the U.S. and the eight other nuclear-armed nations claiming that they have failed to comply with their obligations, under the NPT and customary international law, to pursue negotiations for the worldwide elimination of nuclear weapons, and filed a companion case in U.S. Federal District Court; and

**WHEREAS**, the Administration’s FY 2015 budget request for maintenance and modernization of nuclear bombs and warheads, at more than \$8.7 billion, in constant dollars exceeds the amount spent in 1985 for comparable work at the height of President Reagan’s surge in nuclear weapons spending, which was the highest point of Cold War spending; and

**WHEREAS**, this enormous commitment to modernizing nuclear bombs and warheads and the laboratories and factories to support those activities does not include even larger amounts of funding for planned replacements of delivery systems – the bombers, missiles and submarines that form the strategic triad; in total, according to the General Accounting Office, the U.S. will spend more than \$700 billion over the next 30 years to maintain and modernize nuclear weapons systems; the James Martin Center places the number at an astounding one trillion dollars; and

**WHEREAS**, this money is desperately needed to address basic human needs such as housing, food security, education, healthcare, public safety, education and environmental protection; and

**WHEREAS**, the U.S. Conference of Mayors has adopted resolutions each year since 2010 calling for deep cuts in nuclear weapons spending and redirection of those funds to meet the needs of cities and adopted an additional resolution in 2011 “Calling on Congress to Redirect Military Spending to Domestic Needs”; and in 2013 called on the U.S. to participate in good



faith in the UN Open-Ended Working Group and High-Level Meeting on nuclear disarmament, and the Nayarit Conference on the Humanitarian Impact of Nuclear Weapons; and

**WHEREAS**, Mayors for Peace continues to advocate for the immediate commencement of negotiations to eliminate nuclear weapons by 2020 and its membership has grown ten fold since the “2020 Vision Campaign” was launched in 2003, surpassing 6,000 members in 158 countries, representing one seventh of the world’s population; and Mayors for Peace, with members in the U.S. and Russia; India and Pakistan, and Israel, Palestine and Iran can be a real force for peace.

**NOW, THEREFORE, BE IT RESOLVED**, that U.S. Conference of Mayors expresses its deep concern that the UN Open-Ended Working Group on nuclear disarmament and the Nayarit Conference on the Humanitarian Impact of Nuclear Weapons took place without the participation of the U.S., Russia, the United Kingdom, France and China; that at the September 26, 2013 UN High-Level Meeting on nuclear disarmament, the U.S. joined with France and the UK in a profoundly negative statement, delivered by a junior British diplomat: “While we are encouraged by the increased energy and enthusiasm around the nuclear disarmament debate, we regret that this energy is being directed toward initiatives such as this High-Level Meeting, the humanitarian consequences campaign, the Open-Ended Working Group and the push for a Nuclear Weapons Convention”; and that the U.S. voted against the 2013 UN General Assembly resolution calling for urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a nuclear weapons convention; and

**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors calls on the U.S. to participate constructively and in good faith in the Third Conference on the Humanitarian Impact of Nuclear Weapons to be hosted by Austria in Vienna, December 8 – 9, 2014, and to press the other nuclear weapon states to do likewise; and

**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors calls on the U.S. to participate constructively and in good faith in urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons, and to press the other nuclear weapon states to do likewise; and

**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors commends the Republic of the Marshall Islands for calling to the world’s attention the failure of the nine nuclear-armed states to comply with their international obligations to pursue negotiations for the worldwide elimination of nuclear weapons, and calls on the U.S. to respond constructively and in good faith to the lawsuits brought by the RMI; and

**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors calls on the U.S. to demonstrate a good faith commitment to its disarmament obligation under Article VI of the NPT by commencing a process to negotiate the global elimination of nuclear weapons within a timebound framework, under strict and effective international control, at the May 2015 NPT Review Conference, and to press the other nuclear weapon states to do likewise; and

**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors urges President Obama to engage in intensive diplomatic efforts to reverse the deteriorating U.S. relationship with Russia; and



**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors calls on the President and Congress to reduce nuclear weapons spending to the minimum necessary to assure the safety and security of the existing weapons as they await disablement and dismantlement, and to redirect those funds to meet the urgent needs of cities; and

**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors calls on its membership to Proclaim September 26 in their cities as the International Day for the Total Elimination of Nuclear Weapons and to support activities to enhance public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination; and

**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors welcomes the appointment of Akron, Ohio and Mayor Donald Plusquellic as a Mayors for Peace regional lead city, and encourages all U.S. mayors for join Mayors for Peace; and

**BE IT FURTHER RESOLVED**, that the U.S. Conference of Mayors expresses its continuing support for and cooperation with Mayors for Peace.

<i>Submitted by:</i>	Mayor William V. "Bill" Bell Durham, North Carolina	Mayor Frank Ortis Pembroke Pines, Florida
Mayor, Donald L. Plusquellic Akron, Ohio	Mayor Salvatore J. Panto, Jr. Easton, Pennsylvania	Mayor Michael Brennan Portland, Maine
Mayor William D. "Bill" Euille Alexandria, Virginia	Mayor Kitty Piercy Eugene, Oregon	Mayor Gayle McLaughlin Richmond, California
Mayor Denny Doyle Beaverton, Oregon	Mayor Ed Malloy Fairfield, Iowa	Mayor Ardell Brede Rochester, Minnesota
Mayor Mark Kleinschmidt Chapel Hill, North Carolina	Mayor Joy Cooper Hallandale Beach, Florida	Mayor Stephen Cassidy San Leandro, California
Mayor William E. "Bill" Gluba Davenport, Iowa	Mayor Alex Morse Holyoke, Massachusetts	Mayor Pam O'Connor Santa Monica, California
Mayor T.M. Franklin Cownie Des Moines, Iowa	Mayor Mark Stodola Little Rock, Arkansas	Mayor Neil King Taos Ski Valley, New Mexico
Mayor Luigi Boria Doral, Florida	Mayor Paul Soglin Madison, Wisconsin	Mayor Laurel Lunt Prussing Urbana, Illinois
Mayor Roy D. Buol Dubuque, Iowa	Mayor McKinley Price Newport News, Virginia	Mayor Geraldine Muoio West Palm Beach, Florida
	Mayor Chris Koos Normal, Illinois	*Adopted by Leverett, Massachusetts Selectboard, 7/8/14



Mayor Warren's Statement

September 20, 2014

I would like to welcome Dr. Helen Caldicott back to our city, for the address she will give here today, on a most critical subject: "Facing Our Nuclear Responsibilities." I'd also like to welcome the audience here today, and to thank you for taking the time to wrestle with a most difficult subject. I very much regret that I cannot be here in person today, but I truly value and encourage your actions.

Ever since 2005, the City of Newton has been a Member City of the Mayors for Peace, an international organization with 6,206 member cities in 160 countries. Its program focuses on a single goal: eliminating all nuclear weapons in the world by 2020. It calls on all nuclear nations to take their weapons off instant launch status, to commit to an unconditional No-First-Use Policy, to stop making nuclear weapons more destructive, and to commit never to target any city for nuclear destruction.

I as Mayor fully support the repeated, unanimous calls of the U.S. Conference of Mayors in its approval of the Mayors for Peace program. May the work of such organizations, and the actions of citizens like you, lead us out from this terrible threat

I fully support this effort. All the best to all of you.

Setti Warren  
Mayor of Newton

#340-14

DRAFT FOR DISCUSSION 12/03/2014

**CHAPTER \_\_\_\_\_ AN ACT TO AMEND THE CITY OF NEWTON CHARTER TO CHANGE THE TITLE OF NEWTON'S LEGISLATIVE BRANCH FROM "BOARD OF ALDERMEN" TO "CITY COUNCIL."**

*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.** The City of Newton Charter is hereby amended to change the title of the City's legislative branch from "Board of Aldermen" to "City Council" and to replace all references to "Board of Aldermen" and "Alderman" appearing therein to "City Council" and "Councillor", respectively. The powers and duties of the legislative body shall not change.

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