

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, FEBRUARY 20, 2013

Present: Ald. Sangiolo (Chairman), Linsky, Hess-Mahan, Rice, Blazar and Baker

Absent: Ald. Fischman; One vacancy

Also Present: Ald. Johnson, Harney, Laredo and Crossley

Others Present: John MacGillivray (Veteran's Agent), David Olson (City Clerk/Clerk of the Board), Robert Rooney (Chief Operating Officer), Marcia Cooper (Green Decade Newton), Karyn Dean (Committee Clerk)

Re-appointment by His Honor the Mayor

#33-13 KATHLEEN McCARTHY, 524 California Street, Newton, re-appointed as a member of the LICENSING BOARD for a term to expire June 8, 2019. (60 days 03/23/13) [01/11/13 @ 12:47 PM]

**ACTION:** **HELD 5-0 (Ald. Baker not voting)**

**NOTE:** Ms. McCarthy had planned on coming to the meeting at the request of Ald. Hess-Mahan, however, she was not feeling well and was unable to attend. Ald. Hess-Mahan asked that the appointment be held if the Committee felt that was fair. It was suggested that Dori Zaleznik join the Committee as well so both will be invited to the next meeting. The Committee voted to hold this appointment.

Re-appointment by His Honor the Mayor

#66-13 JUDI MACKENZIE, 9 Oak Vale Road, Waban, re-appointed as a member of the COMMUNITY EDUCATION COMMISSION for a term to expire January 7, 2015. (60 days 4/19/13) [02/04/13 @ 10:34 AM]

**ACTION:** **APPROVED 5-0 (Ald. Baker not voting)**

**NOTE:** The Committee reviewed Ms. MacKenzie's resume and voted to approve this re-appointment.

#69-13 PROGRAMS & SERVICES COMMITTEE calling for a Special Election for Ward 1 Alderman-At Large to be held on June 25, 2013 in conjunction with the Senate Special Election. [02/11/13 @ 10:00PM]

**ACTION:** **APPROVED (Ald. Baker not voting)**

**NOTE:** Ald. Sangiolo explained that the Board voted against the Election Commissions recommendation to seek special legislation to delay the Ward 1 Alderman-at-Large special election until November. Therefore, a date must be set for the special election and it was felt that June 25<sup>th</sup> would be a convenient date as it could be held in conjunction with the Senate special election scheduled for the same date.

David Olson, Clerk of the Board addressed the Committee. He explained that there is a 120-day window from the date that the election is called and the date it must be held. In order to hold the election on June 25<sup>th</sup>, the Board cannot call it until February 26<sup>th</sup> at the earliest. Therefore, the Board should vote on this item at their March 4<sup>th</sup> full Board meeting which would allow for the election to be held on June 25<sup>th</sup>, which would be within the 120 day period.

Mr. Olson went on to explain that the contract with Peter Koutoujian, The Acting Executive Secretary of Elections, will expire on March 15<sup>th</sup>, 2013. It is unclear who will actually run this election. If Mr. Koutoujian is hired back on a contract basis to run it, then there will be additional costs associated with that. Mr. Koutoujian had estimated an additional \$30-\$35K to run the municipal election in conjunction with the senate election. This estimate included a consultant fee of \$5K. There was a question about hiring additional checkers at each polling location. Mr. Olson felt that it would be advantageous to hire another set of checkers to work particularly at the busier times of day, which would include the time it takes to separate the municipal ballots from the state ballots when they are taken from the ballot boxes. A warden from a polling location told the committee that even at the presidential election which garnered an 80% turnout, the poll workers never found themselves overwhelmed with crowds or work. She felt perhaps a little extra help would be beneficial in the early morning hours, but otherwise did not believe an additional set of checkers would be necessary.

The Committee voted in favor of setting June 25<sup>th</sup> as the date for the aldermanic special election.

*Public Hearing assigned for March 6, 2013:*

#67-13      SRDJAN S. NEDELJKOVIC et al. requesting the Board of Aldermen to expand by resolution the area represented by the Newton Highlands Neighborhood Area Council pursuant to Article 9, Section 9-4, of the City of Newton Charter.  
[01/31/13 @ 9:15 AM]

**ACTION:**      **HELD 5-0 (Ald. Baker not voting)**

**NOTE:** Ald. Rice explained that there are 24 streets near Winchester Street that were not included in the original Newton Highlands Neighborhood Area Council (NHNAC) map. Residents of those streets have asked to be included in the NHNAC and so members of the council collected the required signatures to request the expansion. This expansion will allow for contiguous representation with the Newton Upper Falls area council and the Waban area council which is being formed and for which signatures are now being collected. A couple of residents of the expanded area said they were pleased to be included and wanted to be represented as part of the neighborhood.

Ald. Johnson stated that she would like to see a mission statement of sorts to know what their goals and objectives might be and what services they would be providing for their neighborhood, as stated in the City Charter. She asked that the material with that explanation be provided in advance of the public hearing. **Dr. Nedeljkovic provided a mission statement from the NHNAC website and it is attached to this report.** The public hearing has been set for March 6<sup>th</sup>. The Committee voted to hold this item.

*Public Hearing assigned for March 6, 2013:*

#68-13 JOY HUBER et al. requesting the Board of Aldermen to establish by resolution a Newtonville Neighborhood Area Council pursuant to Article 9, Section 9-3, of the City of Newton Charter. [02/01/13 @ 2:22 PM]

**ACTION:** **HELD 5-0 (Ald. Baker not voting)**

**NOTE:** A representative was to be present but was not in attendance. Ald. Linsky said he and Ald. Johnson were impressed with the way the petitioners anticipated what their jurisdiction would be as well as the area to be represented. The area extended beyond their original scope and they were still able to collect the required number of signatures even though that number had to increase. The petitioners have been made aware that public hearing has been set for March 6<sup>th</sup>.

*Clerk's note:* The City Charter states that once the verification of signatures is received, the Board must hold a public hearing within 30 days. These two petitions had to be placed on the agenda in a very timely manner in order to satisfy that requirement. The hearing may adjourn from time to time but shall be completed within 60 days of its commencement. (City Charter Section 9-3)

The Committee voted to hold this item.

#### Further Comments

Ald. Linsky noted that there needs to be a discussion about the creation of an ordinance for some changes to neighborhood area councils. He would like to create a docket item to do this with the Programs & Services Committee as the docketer. Ald. Rice explained that there are some questions because the Board sets up elections for area councils and that process has been unclear. He would like to see some procedures set in an ordinance that have more depth than what is stated in the City Charter.

Ald. Sangiolo suggested putting the following item on the March 20<sup>th</sup> Programs & Services agenda in order to discuss this more fully:

#230-12 *ALD. SANGIOLO requesting the establishment of guidelines and policies regarding the creation of Neighborhood Area Councils particularly with respect to (1) boundary delineations and (2) description of area council authority. [08/06/12 @ 4:39PM]*

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

#73-13 HIS HONOR THE MAYOR requesting an appropriation in the amount of one hundred twenty-five thousand dollars (\$125,000) from Free Cash for the purpose of supplementing the Veterans' Benefits Account. [[02/11/13 @ 5:14 PM]

**ACTION:** **APPROVED 5-0-1 (Ald. Linsky abstaining)**

**NOTE:** Veteran's Agent, John MacGillivray joined the Committee. He explained that he is out of assistance money for veterans for the rest of the fiscal year. His office is assisting 38 veterans right now at a cost of about \$25K a month. Included in the requested appropriation is \$8400 in

burial costs for the recent death of a veteran, but the Secretary of Veteran's Services has approved this amount for 100% reimbursement from the state, but as with all expenditures, he still needs the money up front in order to expend it.

Mr. MacGillivray explained that veterans have been placed in some recently created veteran's housing in the City and they have families. When a family is involved, the cost per month goes up, as opposed to a smaller amount on an elderly veteran. He said they are not seeing a drastic increase in the numbers of veterans receiving benefits, it's just more of them have families. He believes the City is assisting more veterans right now than ever before. He noted that the Mayor has plans to open a veteran's center at the American Legion. A study was done by the Kennedy School of Government which included three active duty officers who were attending the school. The focus of the study was to find better ways to deliver services to veterans and to determine what services veterans might be interested in. One recommendation was the development of a veteran's center so the younger veterans could drop in, socialize, and while there perhaps access some services. He is working with the American Legion Post 440 to create this center and there will be assistance from the Health and Human Services Department in the form of a nurse, social worker, and some other staff, to be there a few hours per week. The grand opening is expected for May 7<sup>th</sup>. Mr. MacGillivray suspected that the publicity from the opening of the center would bring more clients to veteran's services and several more may be eligible for benefits.

Ald. Linsky was concerned that perhaps Veteran's Services wasn't adequately funded when the budget was created, considering they are now seeking additional funds and it is only February. Mr. MacGillivray noted that he has had to come in each budget year for a supplemental increase. He explained that it is difficult to determine how many clients might be added to the rolls at any particular time during the year. The Veteran's housing that was created by CAN DO has brought several families to the City and the families do receive more money than individual veterans, for example. This could be costing about \$6K a month more than last year and they could not anticipate who the residents would be. Ald. Sangiolo asked how records were kept. Mr. MacGillivray replied that he has to send reports to the Comptroller and the state explaining how the money is being sent and the required job search efforts by the younger veterans. Robert Rooney, Chief Operating Officer, noted that the new administration has made veteran's services a priority. As a result, more veterans are being made aware of the benefits available and this is bringing the costs up. Although this may be costing the City more, it is desirable that as many veterans as possible receive the benefits that are due to them. Some areas in the state do very little outreach and, therefore, veterans are not receiving services they are entitled to.

Mr. Rooney said he would be glad to provide information about the costs. He did not want to overfund the Veteran's Services budget at the beginning of the fiscal year and have that money tied up, if it were not going to be used. He would rather supplement it as needed, much as they do with snow removal money. The management part of this is very detailed and must be approved by the state. He does not have authority to go through the files and questions the disbursements - that is the state's job. The money cannot be released from the City until it is approved by the state and the City is reimbursed 75% from the state. The reimbursement monies go into the General Fund. It does not go right back in to the Veteran's Services Department. Ald. Linsky asked that more detail be provided for the Finance Committee meeting. Ald. Sangiolo asked for more information about the proposed Veteran's Center as well.

Ald. Rice moved approval of this item and the Committee voted in favor.

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

#74-13 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thirty six thousand dollars (\$136,000) from current year salary savings from attrition in various departments' salary accounts to the Elections Department. One hundred twenty eight thousand dollars (\$128,000) would be used to fund the cost of a special primary and special election to fill the vacancy resulting from the resignation of Senator John Kerry and eight thousand dollars (\$8,000) would be used to fund temporary staffing for the Elections Department. [02/11/13 @ 5:14 PM]

**ACTION:** **HELD 6-0**

**NOTE:** Bob Rooney, Chief Operating Officer, addressed the Committee. He noted that the Board voted to add the special election of the Ward 1 Alderman-at-Large to the senatorial special election. He would like to amend this request to include the funds needed for the added special election. Costs would include additional poll workers, printing of ballots, postage, etc. Ald. Baker noted that an estimate for the additional election was set at about \$30-35K. Ald. Sangiolo noted, however, that the acting Executive Secretary's contract will expire on March 15, 2013 – before the date of this dual special election. She wondered if that contract would be extended or if someone else would be filling the position. Mr. Rooney said that they hope was to appoint the City Clerk as interim executive secretary. There would be perhaps additional costs for that but not as much as the contract with Mr. Koutoujian has been. That will be before the Board on the next docket cycle. There are questions to work out and they will submit the request as soon as that has been settled.

Ald. Hess-Mahan asked if there were ongoing discussions about bringing the Elections Department into the Clerk of the Board's Department under some sort of reorganization. Mr. Rooney said that was being discussed but appointing the Clerk interim Executive Secretary was a viable short-term solution.

The Committee voted to hold this item pending an updated budget to include the additional special election.

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

#333-12 ALD. CROSSLEY AND HESS-MAHAN, on behalf of Green Decade Newton, requesting a discussion and possible Resolution, asking that Newton join the Center for Biological Diversity's Clean Air Campaign by sending a Resolution to the US Administration and Environmental Protection Agency urging them to assert and enforce certain provisions of the nation's Clean Air Act in order to help communities achieve cuts in greenhouse gas pollution. [10/11/12 @ 5:05PM]

**APPROVED 4-0 SUBJECT TO SECOND CALL  
MOTION TO RECOMMIT TO PROGRAMS AND SERVICES WAS  
APPROVED BY VOICE VOTE**

**ACTION:** **HELD 6-0**

**NOTE:** Marcia Cooper, representing Green Decade Newton, spoke in strong support of this resolution. She felt that it was important to urge the leaders of the country to advocate and support the regulations to address serious climate change and its consequences. Carol McPherson said that Northampton and Cambridge, as well as more than 80 other communities across the country, have sent this Resolution along to the EPA and the President. She would like to get Newton to do the same and then take this issue to the Governor to ask for a statewide push of support. Ten years ago, scientists said that in 16 years, we may pass the point of no return on climate change. She feels that we are getting dangerously close to a point from which the environment cannot recover.

Ald. Hess-Mahan addressed the Committee. He said the original intent of this Resolution was to lay out the case for what the issue is with greenhouse gas emissions; that the EPA has determined that greenhouse gas emissions present some issues with respect to climate change; that The Clean Air Act has been used to deal with other types of pollutants in the past very successfully; and that in 2007 the US Supreme Court ruled in *Massachusetts vs. EPA* that greenhouse gases are air pollutants as defined by The Clean Air Act and that the EPA has the authority to regulate them. The request is to ask the EPA to follow through on the regulations to address those issues and exercise their enforcement authority.

Ald. Hess-Mahan said that he and Ald. Crossley made several attempts at a draft using widely available climate science to explain what the issue is and why the Board is encouraging the EPA to use its authority. They also used determinations that the EPA has made including their own statistics, as a way of encouraging them to use their authority through The Clean Air Act. He felt very strongly that it was extremely important to lay out the reasons why there is such concern by using the science and the facts, and by using what the EPA relied upon to come to their own conclusion that this is a problem. All of this information puts into context the reasons why this is a problem and why Newton wants the EPA to exercise its authority. He also felt it was important to state the positive steps that Newton has taken in regard to this issue. He wanted it to be clear that Newton, as a community, was doing their part on the basis of the science and now it was the responsibility of the EPA and the President to do their part as well.

Ald. Crossley said the essence of the resolution is in the conclusive statement at the end, that there is support from the City for the EPA to enforce The Clean Air Act in this regard. There seems to be no disagreement from members of the Committee about that. There is disagreement about how to “tell the story” in the resolution and what facts should be used to support the conclusion. Some people want this to be very detailed, and some want this to be much more simply stated. Ald. Laredo said that he and Ald. Fuller are fully in support of this resolution. His concern is that, as presented, the resolution is too complicated. He would prefer a clear, simple statement that is more concisely drafted. In response to Ald. Hess-Mahan, Ald. Laredo said he would be in support of including the positive steps Newton has taken because they are clear and easily verifiable. He did not want to delve into scientific findings in a resolution at the level that was being proposed by Ald. Hess-Mahan. The thrust of the resolution was to ask that The Clean Air Act be enforced.

Ald. Blazar suggested that it was fine to be making an appeal on the federal level, but felt working more locally, on the state level would be more helpful. Ald. Sangiolo had suggested the

same and she suggested working with the state delegation. Ms. Cooper agreed, but also noted that the federal government does have authority in protecting states from each other in terms of what pollution they might be generating and then spreading across the country in the air, etc.

Because there were differing views about whether the resolution should be more detailed or less, the Committee decided to hold this item. The Chairman asked that the drafters work together to come up with a draft that can combine all their concerns. The members were asked to submit any drafts to the Committee Clerk. **Submitted drafts are attached to this report.**

#49-13            ALD. SANGIOLO, on behalf of Gary Rucinski, 40 Clearwater Road, Newton Lower Falls, requesting discussion and consideration of a letter of support to Congress for Carbon Fees. [01/30/13 @ 10:31 AM]

**ACTION:**    **HELD 6-0**

**NOTE:** Mr. Rucinski addressed the Committee. He explained that he has been working with an organization called Citizen's Climate Lobby (CCL) for the past 2 years. They are a 5-year old national non-profit organization that focuses on federal level action to achieve a sustainable environment. CCL believes the most important step that needs to be taken, bar none, is to put a price on carbon. The reason for that is fossil fuels today are inexpensive and easy to dig out of the ground for the most part because there is an infrastructure in place and the technology is well known. It will take a great effort to overcome the incumbency of those technologies in the energy market today. The federal government cannot do this because there is not the political will nor the resources to put into renewable energy to overcome the advantages that fossil fuels have right now. CCL feels that the free market needs to get involved in addressing climate change through development of measures around conservation, efficiency and renewable energy. The way to get the free market involved in anything is to offer them money.

The proposal the CCL has been pursuing and a number of conservative economists have supported is the concept of artificially causing the price of fossil fuels to go up gradually over time by putting a fee at the source such as the well, the mine, the port, etc., and allowing that consequent energy price inflation to work its way through the value chain. Eventually it will show up in retail prices for energy and energy intensive products. Then 100% of the proceeds of that fee would be returned to households on a flat basis. The reason for this model is that it's very easy to do. It's something the government has demonstrated they can do and administratively it's not very expensive. The carbon tax is basically an energy tax as long as our energy is based on fossil fuels and energy taxes are very regressive. Lower income households put a larger fraction of their income towards energy than higher income households. With this model, about 60% of households come out ahead or break even, and 40% of households on the upper end of the income spectrum break even or come out a bit behind. That seems fair because we assume they have the means to deal with that. What CCL proposes for a schedule is \$15 per ton of CO2 emissions inherent in the fuel, so coal will incur a larger fee than oil, oil will incur a larger fee than gas. The fee would be increased by \$10 a year, every year, until emissions reach sustainable levels, which they believe to be 20% of 1990 levels. Putting the price into the market will stimulate a huge amount of private investment from people who are waiting to go in and develop clean energy, conservation technologies, more efficient appliances, cars and buildings,

etc. There is currently a disincentive to that because the return on investment just is not there because fossil fuels are so cheap and volatile.

CCL is looking for organizations and influential individuals around the country to sign a letter of support calling for Congress to put a fee on carbon to curb climate change. Mr. Rucinski is asking the Board to put their name on the letter of support so that when they go to Washington in June, they can tell the elected officials that there is positive support from this community. There was a bill in the House of Representatives last year very similar to this and it will be re-submitted this year. Bernie Sanders and Barbara Boxer are now exploring the possibility of a carbon fee bill, not quite as generous as the CCL proposal, but a good start. There is a bill on the state level by Senator Mike Barrett and Tom Conroy that will put a tax on carbon and put the money into infrastructure development. CCL is talking to them as well and they are hoping to have some impact at the state level.

Ald. Linsky asked why the money was not targeted for energy use when it is refunded to the households. Mr. Rucinski said they like this plan because it keeps them out of the business of saying who the winners and losers are in the market space. In the first year, they estimate an individual share of the proceeds would be about \$150 a year. A household might take that and put it towards whatever they need, but he thinks it's better to let the free marketplace operate. Some of the money will go into things that aren't energy related, however, people who have already made investments in energy conservation by putting in insulation or solar panels, etc. would be penalized if they only received an energy-related voucher because they have already made their investments. They deserve to reap that profit.

Ald. Baker said the other model would be cap and trade. That raises the cost of emissions of these kinds by putting a cap on them and then using the free market at that level. Mr. Rucinski said their major objection to cap and trade is that it is isolated to specific sectors. All of those bills would be applicable to emitters of a certain size and it leaves out everybody else. CCL thinks in order to be effective, an economy wide solution needs to be in play which includes individual households and large power plants and everyone in between. Cap and trade necessitates a lot of unnecessary economic activity. You would have to start auditing emissions and trust in the integrity of the auditors and put additional equipment on to monitor emissions. Putting the price on at the point of origin avoids that. You will get to the same place without all the middlemen. Ald. Baker said the carbon fee model does not deal with the extraction consequences. Mr. Rucinski said trying to stop every problem associated with the extraction of fossil fuels would be outside the scope of this. CCL wants to act quickly to stop the growth in emissions and begin to get on the downside of the emissions curve. Some controversial extraction methods may continue to go on, but putting more restrictions into the bill will limit its ability to be successful. CCL is trying to keep this a very simple and clean bill.

Ald. Blazar asked where he might find more information on this bill so that he could understand it more clearly. Mr. Rucinski directed him to [www.citizensclimatelobby.org](http://www.citizensclimatelobby.org) There was a report done in England a couple of years ago that said climate change is the largest free market failure in history. The reason for that is because the externalities of using fossil fuels are not reflected in their prices. If you fix that, then the free market self-corrects. Carbon taxes are being used in British Columbia, Australia, China (they will cap emissions as well), Sweden and more. Most of



those places have capped their fee at \$30 a ton but CCL is proposing starting at \$15 and increasing it by \$10 each year until the emissions are at the desired level. There will be no cap on the fee. The market will determine where it will stop. Returning the money to households keeps all the money in the free market.

Ald. Baker said he was skeptical that the added cost would be significant enough to bring about the desired outcome. Some of those funds could be recycled back into an energy investment that would make an alternative easier to get. He's not sure the fees should go back to households as a rebate. He did not feel he could vote for this right now. He agrees with the goal, but is not sure this model is what he would support.

Ald. Sangiolo suggested that the Committee members look at the website for more information. **Information from the website is attached to this report.** The Committee is sympathetic to the concept but would like to hold this until they are better informed. The Committee voted to hold this item.

Respectfully Submitted,

Amy Mah Sangiolo, Chairman



## Newton Highlands Neighborhood Area Council

### Mission Statement:

"The nine-member Newton Highlands Neighborhood Area Council is an official elected body under the city charter. Its purpose is to facilitate communication between Highlands residents and the Board of Aldermen and other city organs. It also serves as a forum/mechanism for dealing with various local issues and for fostering community spirit through annual events such as Village Day, the Halloween party and haunted house, and the Winter Social."

- [By-Laws of the NHNAC](#)
- [Meetings and Minutes](#)
- Walking tour of Newton Highlands
- e-mail the [Newton Highlands Neighborhood Council](#)

### [Newton Highlands Area Council Map](#)

### [List of Streets](#)

## Upcoming Community Events

- Appreciation Day (with Hyde)
- [Village Day](#) - Sunday June 10, 2012
- Summer Performances at the Hyde Playground
- Halloween Haunted house and Party - October 28, 2012 at the Hyde.
  - Please contact a council member to volunteer
- Annual Meeting - Time and Location TBD
  - Join us to meet with the Area Council and Aldermen to discuss topics of local interest

- [Skating Rink at the Hyde Playground](#)
- [Winter Social - January, 2013, 6-8pm](#)

## History of Newton Highlands

- [History of Newton Highlands](#)
- [Old Photos of Newton Highlands](#)
- [Old Photos Part II](#)
- [Crystal Lake: History, Rules, Regulations](#)
- [Brigham House](#)
- [Avalon Bay Apartment Information](#)

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Whereas levels of carbon dioxide in the atmosphere are rising and continue to rise because of increased emissions of greenhouse gases, including carbon dioxide, with increasingly adverse planetary consequences;

Whereas the U.S. Environmental Protection Agency has been determined to have the authority to regulate emissions of carbon dioxide but has not yet done so; and

Whereas the City of Newton has taken a number of local initiatives to reduce the environmental impact of its activities, but cannot directly regulate carbon dioxide emissions, which requires action at a larger scale of government; and

Whereas climate change is not an abstract problem for the future or one that will only affect far-distant places but also all of us in Newton sooner than we may anticipate, including increasingly frequent extreme weather events; and

Whereas, delay in responding to the challenges of climate change makes it a more difficult problem to solve, or even to accommodate to what cannot be remedied,

Now therefore, the members of the Newton Board of Aldermen, on behalf of the residents of Newton, do hereby urge the Acting Administrator of the Environmental Protection Agency, Robert Perciasepe, and President Barack Obama, to use the authority provided under the Clean Air Act to reduce carbon dioxide in our atmosphere, as swiftly and assertively as the Act allows, in order to meet the objectives the President stated in the 2009 world summit in Geneva.

Be it further resolved that the Clerk of the Board shall forward a copy of this resolution to Mr. Perciasepe and President Obama on behalf of the members of the Newton Board of Aldermen and the citizens they represent.

RECEIVED  
Newton City Clerk

2013 FEB 29 AM 10:22

David A. Olson, CMC  
Newton, MA 02459



DRAFT

CITY OF NEWTON  
IN BOARD OF ALDERMEN  
\_\_\_\_\_, 2012

David A. Olson, CMC  
Newton, MA 02459

2013 FEB 29 AM 10:22

#333-12  
RECEIVED  
Newton City Clerk

BE IT RESOLVED:

WHEREAS, according to the United States Environmental Protection Agency (EPA), Greenhouse gas (GHG) concentrations in the atmosphere, including concentrations of carbon dioxide, will continue to increase unless the billions of tons of our annual emissions decrease substantially; and

WHEREAS, increased GHG concentrations are expected to increase Earth's average temperature, influence the patterns and amounts of precipitation, reduce ice and snow cover, as well as permafrost, raise sea level, and increase the acidity of the oceans; and

WHEREAS, the EPA has determined that current and future GHG concentrations endanger public health; and

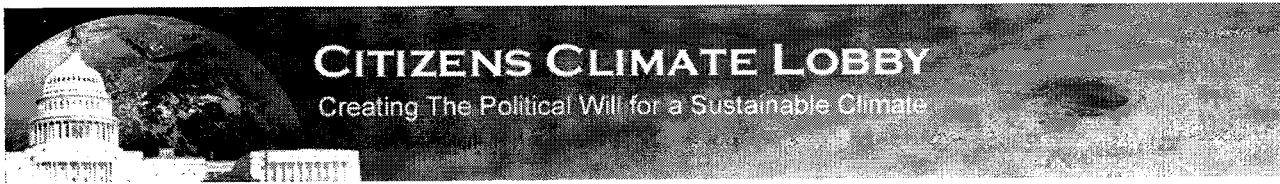
WHEREAS, for four decades, the Clean Air Act has protected the air we breathe through a proven, comprehensive, successful system of pollution control that saves lives and creates economic benefits exceeding its costs by many times; and

WHEREAS, the U.S. Supreme Court ruled in *Massachusetts vs. EPA* (2007) that GHG are "air pollutants" as defined by the Clean Air Act and the EPA has the authority to regulate them; and

WHEREAS, The City of Newton has taken a number of local initiatives to reduce the environmental impact of its activities, but cannot directly regulate GHG emissions, which requires action at a larger scale of government.

NOW THEREFORE BE IT RESOLVED, that climate change is not an abstract problem for the future or one that will only affect far-distant places but rather climate change is happening now, we are causing it, and the longer we wait to act, the more difficult the problem will be to solve; and we, the Newton Board of Aldermen, on behalf of the residents of Newton, do hereby urge the Acting Administrator of the EPA, Robert Perciasepe, and President Barack Obama to move swiftly to fully employ and enforce the Clean Air Act to do our part to reduce carbon in our atmosphere as swiftly and assertively as possible to meet the objectives President Obama stated at the 2009 world summit in Geneva.

BE IT FURTHER RESOLVED that the City Clerk shall forward a copy of this resolution to Robert Perciasepe, who is currently both the Acting Administrator and the Deputy Administrator of the EPA, Senator Elizabeth Warren, Senator Mo Cowan, Representative Joseph P. Kennedy, III, and President Barack Obama.



## The Carbon Fee and Dividend Act of 2010

### Proposed Findings:

1. **Causation:** Whereas the weight of scientific evidence indicates that greenhouse gas emissions from burning fossil fuels and other sources are causing rising global temperatures,
2. **Mitigation (Return to 350 ppm or Below):** Whereas the weight of scientific evidence also indicates that a return from the current concentration of more than 387 parts per million ("ppm") of carbon dioxide ("CO<sub>2</sub>") in the atmosphere to 350 ppm CO<sub>2</sub> or less is necessary to slow or stop the rise in global temperatures,
3. **Endangerment:** Whereas further increases in global temperatures pose imminent and substantial dangers to human health, the natural environment, the economy and national security and an unacceptable risk of catastrophic impacts to human civilization,
4. **Co-Benefits:** Whereas the measures proposed in this legislation will benefit the economy, human health, the environment and national security, even without consideration of global temperatures, as a result of advances in clean-energy technology, reductions in non-greenhouse-gas pollutants, reducing the outflow of dollars to oil-producing countries and improvements in the energy security of the United States,
5. **Benefits of Carbon Fees:** Whereas phased-in carbon fees on fossil fuels (1) are the most efficient, transparent and enforceable mechanism to drive an effective and fair transition to a clean-energy economy, (2) will stimulate investment in clean-energy technologies by insuring that fossil fuels lose their competitive price advantage over clean energy within a 10-15 year time frame, and (3) give all businesses powerful incentives to increase their energy-efficiency and reduce their carbon footprints in order to remain competitive,
6. **Equal Monthly Per-Person Dividends:** Whereas equal monthly dividends (or "rebates") from carbon fees paid to each American household can help insure that families and individuals can afford the energy they need during the transition to a clean energy economy and the dividends will stimulate the economy,

### Therefore the following legislation is hereby enacted:

1. **Collection of Carbon Fees/Carbon Fee Trust Fund:** Beginning on July 1, 2011, impose a carbon fee on all fossil fuels at the point where they first enter the economy. The fee shall be collected by the Internal

Revenue Service. The fee on that date shall be \$15 per ton of CO2 equivalent emissions and result in equal charges for each ton of CO2 equivalent emissions potential in each type of fuel. The Department of Energy shall propose and promulgate regulations setting forth CO2 equivalent fees for other greenhouse gases including methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons (HFCs) emitted as a byproduct, perfluorocarbons, and nitrogen trifluoride. The Internal Revenue Service shall also collect the fees imposed upon the other greenhouse gasses. All fees are to be placed in the Carbon Fees Trust Fund and be rebated 100% to American households as outlined below.

2. **Ensuring that Clean Energy Become Competitive Within a Ten year Time Frame:** The yearly increase in carbon fees including other greenhouse gasses, shall be at least \$10 per ton of CO2 equivalent each year to ensure that fossil fuel energy loses its competitive price advantage with respect to the clean energy technologies we have today, including, at a minimum, wind, geothermal and industrial solar energy, within 10 years of the date of enactment. Annually the Department of Energy shall determine whether an increase larger than \$10 per ton per year is needed to achieve program goals. Yearly price increases of at least \$10 per year shall continue until total U.S. CO2-equivalent emissions have been reduced to 10% of U.S. CO2-equivalent emissions in 1990.
3. **Equal Per-Person Monthly Dividends Payments:** Equal monthly per-person dividend payments shall be made to all American Households (1/2 per child under 18 years old, with a limit of 2 children per family) each month beginning on August 28, 2011. The total value of all monthly dividend payments shall represent 100% of the total Carbon Fees collected per month.
4. **Border Adjustments:** In order to ensure that U.S.-made goods can remain competitive at home and abroad and to provide an additional incentive for international adoptions of carbon fees, Carbon-Fee-Equivalent Tariffs shall be charged for goods entering the U.S. from countries without comparable Carbon Fees/Carbon Pricing. Carbon-Fee-Equivalent Rebates shall be used to reduce the price of exports to such countries and to ensure that U.S. goods can remain competitive in those countries. The Department of Commerce will determine rebate amounts and exemptions if any.
5. **Phase Out of Fossil Fuel Subsidies :** All existing subsidies of fossil fuels including tax credits, shall be phased out over the 5 years following enactment.
6. **Moratorium on New or Expanded Coal-Fired Power Plants:** Beginning on the date of enactment, there shall be no new coal-fired power plants permitted, constructed, or operated. There shall also be no expansions in capacity of any existing coal power plants permitted, constructed, or operated. And any previously permitted coal-fired power plants that have not yet been constructed or put into operation prior to the date of enactment shall not be put into operation and shall not be further constructed.
7. **Seeking Treaties:** The President in consultation with the United States Department of State shall seek treaties with other countries that encourage adoption of programs similar to the ones provided for in this Act to reduce CO2 and other greenhouse gas emissions in other countries.

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Global Climate Change Indicators, National Oceanic and Atmospheric Administration, National Climatic Data Center <http://www.ncdc.noaa.gov/indicators/>

Proposed legislation by Rep. Larson (D-CT) H.R. 1337 America's Energy Security Trust Fund Act, and by Rep. Inglis (R-SC) H.R. 2380 Raise Wages Cut Carbon Act, reflects an approach very similar to this.