

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, MAY 22, 2013

Present: Ald. Sangiolo, Rice, Blazar, Linsky, Fischman, Hess-Mahan and Baker; One Vacancy

Also Present: Ald. Johnson and Lappin

Others Present: Josh Morse (Interim Commissioner, Public Buildings), Claire Sokoloff (School Committee), Mike Cronin (Director of Operations, NPS), Joe Russo (Assistant Superintendent, NPS), David Olson (Clerk of the Board)

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

#138-13 HIS HONOR THE MAYOR requesting authorization to appropriate an amount that is yet to be determined from bonded indebtedness for the purpose of funding the Carr School renovation project. [03/25/13 @ 3:58 PM]

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

**NOTE:** Mike Cronin, Director of Operations for Newton Public Schools addressed the Committee. He said the budget is \$12.7M for total project costs for the Carr School renovation. They do not have a specific amount in this docket item at this time because the bids open on June 3<sup>rd</sup>. The letters attached to the agenda state that the bids will be open in May but the bids were pushed off to June 3<sup>rd</sup>. When they have the costs from the bids they will take that to Public Facilities and Finance Committees on June 5<sup>th</sup> and June 10<sup>th</sup> respectively. They expect work to start the first week of July.

This is a significant renovation of the Carr School. The layout will stay very much the same with some small changes in the administrative area; classroom layout will remain the same with 20 classrooms; mechanical, electrical and plumbing systems will be upgraded; there will be some site work which includes a bus drive-through from front to back - from the Nevada Street side to the parking lot in the back on to the back entrance. There will be no driveway on the front or the side. A sprinkler system and elevator will be installed; roof and windows will be upgraded; a cafeteria will be added; and finishes will be upgraded. The school will accommodate up to 25 or 26 children per classroom. The contractors are all pre-qualified. All the reference checks were done ahead of time for the electrical, mechanical and plumbing contractors. The same is true for the general contractors and they roll the subcontractors into their bids.

Assistant Superintendent, Joe Russo, said the project is moving along well. They are set with the space they need for the programming and it is being established as solid swing space. He anticipates that it may well be used as a permanent school building at some point.

It was noted that there is a parking plan filed with the Public Buildings Department for the area around the school. The Committee asked that the plan be released to the Ward Aldermen and Mr. Cronin said he would send it along.

The Carr School will be set up for air conditioning at this point but it will not be fully implemented. The building will not be used for summer programming because of transitioning and it does not need air conditioning at this point in time. The play structures from Angier will be used as much as is possible at the Carr School. Angier will get new play structures. Linda Plaut and the Cultural Affairs office will be moved from Carr to City Hall in Room 203.

Ald. Linsky moved to hold this item and the Committee voted in favor.

**REFERRED TO PROGRAMS & SERV. AND PUBLIC FACILITIES COMMITTEES**

#315-12 ALD. FULLER, RICE AND GENTILE of the Angier School Building Committee providing updates and discussion on the Angier School Building project as it develops through the site plan approval process.  
[10/02/12 @ 3:37PM]

**ACTION:** **HELD 7-0**

**NOTE:** Ald. Rice addressed the Committee and provided an update on the Angier School project. He explained that there will be a meeting with the Design Review Committee and the Angier Working Group will be meeting as well tomorrow. They are close to 50% schematic design and will discuss site access, building layout, massing, elevation, etc. On June 3<sup>rd</sup> there will be a joint meeting with the Board of Aldermen and the School Committee and part of that discussion will be about air conditioning for Angier and for school buildings in general.

There will be a public forum at Angier on May 29<sup>th</sup> at 7pm to show the design and reviews to the community. So far, all of the community meetings have been positive and there have been no major objections to design. There has been discussion about the intersection at the school and concerns with traffic, drop-off and pick-up and pedestrian crossings. Traffic Council will be evaluating those issues in order to have an integrative approach. There are currently 30-40 parking spaces on-site, but the demand is higher and people are parking on Beacon Street. Restrictions have been put on streets in Waban due to commuter parking. On June 3<sup>rd</sup> there will be a meeting with the Board and the School Committee to discuss the project. There will be another follow up meeting on June 12<sup>th</sup> to incorporate all the feedback and then release the 50% design to the MSBA.

**Air Conditioning**

Adding air conditioning to Angier would increase the budget by about \$200K and another \$200K over the next 20 years to run the air conditioning. This is one of the issues that will be discussed at the June 3<sup>rd</sup> Board of Aldermen and School Committee meeting. On June 13<sup>th</sup> or 17<sup>th</sup> they will be handing off the plan to the estimators with the decision to go with or without the air conditioning.

The sustainability director position is not filled at this point. There was concern that there is not an expert who can guide the process and the cost on air conditioning as well as the environmental cost of air conditioning. Perhaps some office space and/or the library could be air conditioned, but since the entire building will not be utilized during the summer, it seems unreasonable to air condition the entire building. There is an equity issue here and concern that other school buildings are not air conditioned. Ald. Rice said there was a discussion about air conditioning the

administrative space and the Special Ed spaces at Angier. The question is whether to include classrooms in that plan. With global warming, there is concern about whether spaces would require air conditioning years down the road, during the months when school is in session and not just in the summer. There was a question about whether it would be possible to do some engineering that would allow air conditioning to be added in the future if necessary. Ald. Rice said the engineer explained that there are other design options that can be discussed to optimize air flow to address the air cooling issues. Parks & Recreation and Community Ed programs use the only two school buildings that are air conditioned: Day and Newton North. There is some reasoning that if Angier is air conditioned, other programs could utilize the space in the summer. The School Committee would have to commit to allowing programs to use the buildings, however. The benchmark needs to be decided relative to adding air conditioning to school buildings. Should it be added when there is a significant renovation or only when there is new construction.

### Space Needs

There are some children that will be coming in from Lower Falls. There was a question about whether that population was being taken into consideration and accommodated at Angier. Ald. Rice said the City worked with the MSBA on programming needs and they came up with a school for 465 students. This was a joint decision between the MSBA, the School Department and the Executive Office based on expected enrollment. Angier can currently accommodate about 415 students. The capacity could be expanded even more to accommodate more students by reconfiguring spaces. The thought is the school can handle students who may come from the Riverside project. There was still some skepticism about that from some Committee members despite the numbers that have been predicted. The Chief Planner is going to go back to ask some questions to look at this again. Ald. Rice said that if the number of students was to change then the process would have to go back to MSBA and the timelines would be pushed. Angier is designed to deal with current problems and not additional students. The School Committee needs to look at Williams because Angier will not be able to handle any higher demand.

The Committee thanked Ald. Rice for the thorough update and voted to hold this item.

#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:**        **APPROVED 7-0**

**NOTE:** Mr. Rucinski addressed the Committee. He noted that he volunteers for Citizens Climate Lobby (CCL) and they have a letter asking Congress to put a fee on carbon to curb climate change. There have been some events since the last time he joined the Committee. They have passed the mark of 400 parts per million of CO<sub>2</sub> concentration in the atmosphere generally. James Hanson, one of the world's leading climate scientists, said that we are only experiencing now about half of the CO<sub>2</sub> that has been released into the atmosphere. He noted that the recent Oklahoma tornado is very concerning and is an indication of what sort of environment we are creating. The Congressional Budget Office published a report today where they look at putting a price on carbon and how that might help curb emissions. They make a good case after looking at the pros and cons. The report summarizes that regardless of the effect that delaying emissions reductions might have on the cost of achieving lower emissions, such delays would increase the

damage from climate change by increasing the risk of extremely costly, potentially even catastrophic outcomes. In general the risk of costly damage is higher as the extensive warming increases and as the pace of warming picks up.

Citizens Climate Lobby is calling for a price on carbon starting lower and increasing gradually, making it revenue neutral so there will be no fights in Congress over money, and returning all proceeds to households on a flat basis, and protecting businesses by implementing border adjustments.

There was a discussion in Committee last time about the concept of returning the proceeds to households. There is some opinion that people won't use the money in the "right" way. Mr. Rucinski said the free market could work to solve the problem and in aggregate it would work. James Hanson said 25 years ago that the earth was warmer then that it had ever been, global warming was sufficiently large enough to point to a cause and effect relationship to the greenhouse effect and in computer simulations the greenhouse effect is already large enough to produce extreme weather events in the decade to come. Elected officials are meeting in Washington with the CCL and they are listening. All industries have to move to less emissions intensive ways of getting their energy. Until there is an incentive to look for alternatives, industries will stay with extremely cheap fossil fuels. Mr. Rucinski asked the Board of Aldermen to support this carbon fee.

In this session, Rep. Conroy and Senator Barrett have introduced carbon tax legislation that would function similarly. Twenty percent of the proceeds would go towards infrastructure and some weatherization and 80% would be returned through various tax credits and income tax reductions.

Some Committee members wondered if this is the sort of issue the Board of Aldermen should be getting involved with. Mr. Rucinski said as a private citizen he is supporting this and the movement needs to show the government that this is something that is supported at all levels. The carbon fee and dividend act of 2010 refers to 387 parts per million of CO<sub>2</sub> and we have now passed 400 only 3 years later. There was also sentiment by other members of the Committee that this is definitely something that should be supported by the Board of Aldermen. Perhaps if this were put in broader terms by saying this is something that internalizes costs that have always been externalized, it could gain wider support by the Board. By doing so, it creates a level playing field to allow market forces to direct policy that may have the net effect of influencing the environment in a positive way. Mr. Rucinski felt that approach would be fine. It could be a resolution that says a price should be put on carbon that is increased gradually and engage the free market to find alternatives to fossil fuels. Or it could be as specific as the CCL letter and either would be a good approach. Energy taxes are regressive, so he felt there should be some provision to protect the poor, however. There was some concern in Committee about giving the monies back generally to households, or if returning it in the form of energy vouchers would make more sense.

Ald. Linsky and Hess-Mahan will work with Mr. Rucinski to craft broader language. The draft resolution is attached to this report. Ald. Baker moved to approve this and should there be any

questions from the Committee on the new language, the Chair can poll the Committee at the Board meeting. The Committee voted to approve this item.

#187-13      DAVID A. OLSON on behalf of BEAUTIFUL NEWTONVILLE seeking approval from the Board of Aldermen as required by the City Charter, Article 9, Section 7(b), of the date of October 1, 2013 as the official election day for the Newtonville Area Council, and to allow early voting on September 29 and 30, to coincide with Newtonville Village Day. [05-06-13]

**ACTION:**      **APPROVED 6-0 (Baker not voting)**

**NOTE:** David Olson, City Clerk, addressed the Committee. He explained that the proposed dates are reasonable from an Elections Department point of view. It makes it easier for Newtonville residents to vote during Village Day on September 29<sup>th</sup> and to come to City Hall on September 30<sup>th</sup> and October 1<sup>st</sup>. He feels this is a good concept and will make it more convenient for all involved.

Ald. Linsky moved to approve this item and the Committee voted in favor.

#335-12      DAVID OLSON requesting a discussion of Mayor Warren's Executive Order #1 which authorizes the use of remote participation for City Boards and Commissions as it relates to and effects the Board of Aldermen's Committee and Full Board meetings, and to make any necessary changes to the Board Rules to allow and regulate remote participation should it be deemed acceptable. [10/3/12 @ 4:56PM]

**ACTION:**      **HELD 6-0 (Baker not voting)**  
**REFERRED TO RULES SUBCOMMITTEE**

**NOTE:** David Olson, City Clerk, addressed the Committee. He explained that the Open Meeting Laws were amended to include remote participation pending regulations developed by the Attorney General's office. Those regulations have been created and the Mayor needed to accept it by Executive Order. There are very specific rules under very specific circumstances (distance, illness, a quorum needs to be present, the Chairman needs to be present, etc.) that have to be followed in order to use remote participation legally. The order was attached to the agenda and can be found online as well.

In the conference rooms at City Hall, the IT Department has a conference telephone that can be placed in the room and on speakerphone and as long as everyone can hear, then remote participation may be used. There is also the option of using Skype in a small contained room. The Chamber poses a more difficult scenario since there is no phone line in there. The sound system would need to be augmented in order to integrate a phone for two-way communication. It is up to the Board to decide if they would like to use this option for Committee meetings only, for the Full Board meetings only, for both, or not at all.

It was unclear whether the School Department had implemented this policy yet. It was noted that businesses have used this technology for many years now. There was sentiment that Skype would be preferable to a phone conference in Committee meetings but that is not without its

challenges as well. Maximum participation is desired and if there was some way to work it out that was preferable. There was some thought that members should be present at Full Board meetings and this may not be appropriate to that more formal process.

There was a question about whether the Executive Order was the proper way to accept this policy. Mr. Olson explained that state law required that the Executive Office authorize its implementation. The Committee would like to see a demonstration of how this might work and Mr. Olson said he could arrange that in one of the committee meeting rooms.

The Committee voted to hold this item and refer it to the Rules Subcommittee. Once a policy is recommended from Rules, a new docket item could be submitted with the Rules change. The Committee voted to hold this item pending a recommendation from the Rules Subcommittee.

#111-13      CLERK OF THE BOARD requesting a change in the Board of Aldermen Rules & Orders to define which committee Community Preservation Committee appointments should be referred. [03/05/13 @ 12:46 PM]

**ACTION:**      **HELD 6-0 (Baker not voting)**  
**REFERRED TO RULES SUBCOMMITTEE**

**NOTE:** David Olson, Clerk of the Board, addressed the Committee. He explained that the Board's Committee on Community Preservation was disbanded. The items that would have been referred to that Committee were then parceled out to the other standing committees of the Board. Those items have been fairly simple to refer but the appointments to the Community Preservation Committee have been more challenging. He would like to have that clarified.

The Committee voted to hold this item and refer it to the Rules Subcommittee for further discussion.

#130-13      ALD. JOHNSON & LAPPIN requesting a change to the Board Rules, Article I, Section 3. Referral of business to Committees, paragraph D., to increase the majority vote to a greater than majority vote. [03/18/13 @ 9:39 PM]

**ACTION:**      **HELD 5-1 (Fischman opposed; Baker not voting)**  
**REFERRED TO RULES SUBCOMMITTEE**

**NOTE:** Ald. Johnson addressed the Committee. She explained that the Board had voted to approve the special election for the vacant Ward One Alderman-at-Large seat on June 25<sup>th</sup>. At the next regularly scheduled Board meeting, Ald. Gentile asked that it be put on the docket to be brought back to be considered for further discussion. According to the City Charter, no petition that was disposed of during the preceding 12-month period can be referred to any committee except by a majority vote of the Board. The docketers felt that a 2/3 vote would be more appropriate to bringing back an item that had already had its time for discussion and had been decided. In this particular case, the item had been handled just two weeks previous. There was a concern that items could be brought back far too easily.

Ald. Hess-Mahan made a motion to refer this item to the Rules Subcommittee. The Committee voted to hold the item and refer it to the Rules Subcommittee for further discussion.

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

#245-06 ALD. JOHNSON AND HESS-MAHAN requesting an amendment to the City Charter to require the Mayor annually to prepare and submit to the Board of Aldermen a long-term financial forecast of anticipated revenue, expenditures and the general financial condition of the City, including, but not limited to identification of any factors which will affect the financial condition of the City; projected revenue and expenditure trends; potential sources of new or expanded revenues; anticipated municipal needs likely to require major expenditures; and a strategic plan for meeting anticipated municipal needs, to include, but not be limited to, any long or short-term actions that may be taken to enhance the financial condition of the City.

**FINANCE VOTED NO ACTION NECESSARY ON 3/8/10**

**ACTION: NO ACTION NECESSARY 7-0**

**NOTE:** Ald. Hess-Mahan addressed the Committee. He and Ald. Johnson met with the Mayor, the Chief Operating Officer and the Chief Financial Officer about this docket item. The Executive Office explained that their office already does a long-term forecast. Ald. Hess-Mahan asked if it could be put in writing and be made available. Mr. Rooney's response was that they would then have to do it and be accountable for doing it. Ald. Hess-Mahan wanted that on the record and he explained that the previous administration stated the same thing. He and Ald. Johnson felt that it wasn't going to go any further so they are amenable to voting No Action Necessary on this item.

Ald. Sangiolo felt it should be in writing as well. Ald. Hess-Mahan said that to be fair, a lot of this work is being done through the new budgeting process and much of it was done in the previous administration. David Wilkinson did quite a bit in the Long Range Planning Committee and financial guidelines were created. The current budget book incorporates outcomes and goals and is in line with many other communities. Ald. Hess-Mahan said if none of this work was being done he would be more aggressive about pursuing this, but there are five-year plans and zero-based budgeting and more careful attention to outcomes and goals. He's not completely satisfied but will support a NAN vote.

There was a thought that this could be handled through the Board Rules. Ald. Hess-Mahan noted that the Charter was the better way to do this because the Board Rules are not all that enforceable. He and Ald. Johnson researched the best way to address this and most cities and towns have done it through their Charter. On the other hand, Charter change requires Home Rule Petition and the Mayor's signature. If the Mayor's is not inclined to this proposal then that would be unlikely.

Ald. Hess-Mahan moved to vote No Action Necessary on this item and the Committee voted in favor.

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

#273-08      ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that the Executive and Human Resources Departments develop a comprehensive human capital strategy for the city to include: performance management, talent development, succession planning, and compensation. [07/17/08 @ 9:53 AM]

**FINANCE VOTED NO ACTION NECESSARY on 3/8/10**

**ACTION: NO ACTION NECESSARY 7-0**

**NOTE:** Ald. Johnson recommended a vote of No Action Necessary on this item and the Committee voted in favor.

Respectfully Submitted,

Amy Mah Sangiolo, Chairman



**We Urge the Newton Board of Aldermen to Pass the Following Resolution:  
A RESOLUTION CALLING FOR THE UNITED STATES CONGRESS TO PUT A FEE ON  
CARBON TO CURB CLIMATE CHANGE**

1. **WHEREAS**, The scientific consensus is firmly established that catastrophic climate change is happening and the burning of fossil fuels is among the chief contributing factors; and
2. **WHEREAS**, The use of fossil fuels is pervasive throughout society and varies by region, lifestyle, income, and many other disparate factors; and
3. **WHEREAS**, The United States free market offers a fertile environment for creation of an equally diverse set of economical services and products in the areas of conservation, efficiency, and renewable energy to allow us to wean ourselves off fossil fuels; and
4. **WHEREAS**, Free markets operate most efficiently when individuals and corporations are held accountable for the costs of their actions; and
5. **WHEREAS**, Prices for fossil fuels do not reflect associated costs of health impacts, climate change, or other general environmental degradation; and
6. **WHEREAS**, Leaders and organizations from around the country have advanced proposals for rectifying this price/cost disparity including James Hansen, Citizens Climate Lobby, Senators Boxer and Sanders, and Senator Whitehouse and Representative Henry Waxman.

**THEREFORE, BE IT RESOLVED that the Newton Board of Alderman strongly urges the Congress to pass legislation that puts a gradually increasing fee on the carbon in fossil fuels to: make individuals and corporations accountable for the costs of their actions when they choose to use fossil fuels; level the economic playing field between fossil fuels and conservation, efficiency, and renewable energy sources; and ignite a free-market based clean energy revolution.**

**BE IT FURTHER RESOLVED** that the Newton Board of Alderman shall send copies of this resolution to President Barack H. Obama, Secretary of Energy Ernest Moniz, Administrator of the Environmental Protection Agency Gina McCarthy, Senate Majority Leader Harry Reid, Senate Republican Leader Mitch McConnell, House Speaker John Boehner, House Minority Leader Nancy Pelosi, to all members of the Massachusetts Congressional and Senatorial delegation, Governor Deval Patrick, Mayor Setti Warren and to the Newton TAB, the major Boston-area newspapers and television stations.