

CITY OF NEWTON
IN BOARD OF ALDERMEN
PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, OCTOBER 23, 2013

7:45 PM
Room 222

- #223-13 ALD. HESS-MAHAN proposing an amendment to the City of Newton Charter, **Section 2-5 Filling of Vacancies**, to delete the requirement that “the Board of Aldermen *shall forthwith* call a special election to fill a vacancy” and replace it with “the Board of Aldermen *may* call a special election to fill a vacancy.”
[06/07/13 @ 1:31 PM]
AMENDED ON 9/11/13 TO INCLUDE SECTION 4-6 FILLING OF VACANCIES FOR THE SCHOOL COMMITTEE
- #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]

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 the Newton ADA Coordinator, Joel Reider, at least two days in advance of the meeting: jreider@newtonma.gov . or 617-796-1145. For Telecommunications Relay Service dial 711.

ITEMS NOT YET SCHEDULED FOR 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]
- #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]
- #200-13 ALD. JOHNSON requesting a discussion with the Parks & Recreation Department and the Department of Public Works to establish a process for managing the placement and removal of City, for-profit, and non-profit signs advertising events. [05/28/13 @ 9:26 AM]
- #145-12 ALD JOHNSON requesting a review by the Solicitor's office as to what constitutes "reorganization" per our City Charter. [05/16/12 @ 10:24PM]
- #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]

REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES

- #256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing an ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12 ALD. HESS-MAHAN, SANGIOLO, DANBERG, KALIS, CROSSLEY proposing an ordinance relating to plastic bag reduction that would add a fee to single-use plastic and paper bags that are not at least 40% post-consumer recycled content, at certain retail establishments in Newton. [07/18/12 @4:34 PM]
- #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]
- #144-12 ALD. HESS-MAHAN proposing to repeal the time restrictions for filing special permit applications/site plan reviews for Major Projects during July and August in Article X Section 5 of the Rules and Orders of the Board of Aldermen.

REFERRED TO PROG. & SERV AND PUBLIC FACILITIES COMMITTEES

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

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

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

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

#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.

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

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]

FINANCE & PF VOTED NO ACTION NECESSARY

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.

Respectfully Submitted,

Amy Mah Sangiolo

CITY OF NEWTON

IN BOARD OF ALDERMEN

RULES SUBCOMMITTEE REPORT

WEDNESDAY, OCTOBER 9, 2013

Present: Ald. Baker, Linsky, Blazar and Hess-Mahan
Others Present: Karyn Dean (Committee Clerk)

#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 affects 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: **RECOMMEND NO ACTION NECESSARY 4-1-0 (Ald. Linsky opposed)**

NOTE: Ald. Baker explained that the Law Department's opinion is that if any member were to participate remotely, they may vote. This means they have a right to vote but they don't have to. At a conventional meeting, a member must step outside the rail in order to refrain from voting and Ald. Baker was not sure how that might be indicated in a remote situation. He also felt that the process has served the Board well and does not feel comfortable having people vote and participate from a distance. He prefers having members present, listening to and adding to discussions and seeing any materials that might be integral to the discussion. The technology is less than perfect and the acoustics in the meeting rooms and the Aldermanic Chamber are far from ideal. He felt that until the technology can truly meet the need, the Board should opt out of remote participation. If the technology were put in place, he felt this could be reconsidered. Ald. Blazar agreed with Ald. Baker's point of view. Ald. Hess-Mahan also felt the technology was not up to par for optimal remote participation.

Ald. Linsky felt agreed that the biggest obstacle is the technology and the Board currently does not have all the latest equipment. He is not troubled by the quality of remote participation as it occurs in so many aspects of everyday life, however. He would not mind effectuating this change before all the technology is in place and has no philosophical concern about remote participation.

Ald. Baker recommended voting No Action Necessary. The item can then be re-docketed at any time should circumstances change. Ald. Baker, Hess-Mahan and Blazar approved to recommend No Action Necessary and Ald. Linsky was opposed.

#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 4-0**

NOTE: Ald. Johnson and Ald. Lappin were unable to attend the meeting. They requested that the item be held. This item came out of an issue this term regarding the special election for Ald. Merrill's seat as a result of his death. The Board had many discussions relative to the special election and a decision was made and voted out by the Full Board. The item was then immediately reconsidered and it was felt by the docketers that it should take a higher standard than just a simple majority vote to bring back an item so quickly.

The Subcommittee noted that the discussion could take place at a regular Programs & Services Committee meeting without any particular recommendation from Rules. It may be unrealistic to find time for another Rules meeting before the end of the term. Another option would be to schedule a short Rules meeting just prior to the Programs & Services Committee meeting. The Clerk will check with Ald. Johnson and Lappin on their availability.