

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, FEBRUARY 23, 2011

Present: Ald. Linsky (Acting Chair), Rice, Merrill, Sangiolo, Fischman, Blazar and Baker; absent: Ald. Hess-Mahan; also present: Ald. Johnson, Fuller

#37-11(2) HIS HONOR THE MAYOR appointing DR. DORI ZALEZNIK as COMMISSIONER OF HEALTH & HUMAN SERVICES pursuant to Sec. 3-6 of the City Charter (30-days: 3/9/11). [01-31-2011 @5:05 PM]  
**APPROVED 4-0 (Sangiolo, Fischman, Baker not voting)**

**NOTE:** Bob Rooney, Chief Operating Officer, and Dr. Dori Zaleznik joined the Committee at the table. Mr. Rooney introduced Dr. Zaleznik, speaking very highly of her. He stated that in her short tenure as Interim-Director she has demonstrated during the events of this past week (the fatal fire on Waverly Ave; the evacuation of Chestnut Hill Towers) that she has the ability to manage the department under difficult and emergency circumstances in addition to its daily operations. She has a strong education in medical practice and academia and has made a flawless transition into municipal government.

After this introduction, Dr. Zaleznik shared some of her experiences with the Committee that she believes are the most relevant to this job position. To start, she shared that she is an infectious disease specialist, focusing on both communicable diseases and food borne illnesses. She has had experience on the administrative end of this as well when she was the epidemiologist for Beth Israel Hospital; in this position she implemented “Universal Precautions” for the entire hospital when they were first introduced. Furthermore, Dr. Zaleznik was the Program Coordinator for large vaccine grants from the National Institute of Health which required much administrative efforts as well as collaboration with investigators. Dr. Zaleznik noted that being on the School Committee gave her the “public-service bug” and when she saw this job posted she thought it would be a great fit that would allow her to continue contributing to the community. Dr. Zaleznik closed by recounting some of the occurrences over the last three weeks as the Commissioner. She shared that the health department has closed a restaurant (which has since reopened), inspected several homes with a variety of issues, and handled the Chestnut Hill Towers evacuation by opening up Newton South as a shelter for the displaced residents, something that hasn’t been done since the Blizzard of ’78. Dr. Zaleznik shared that it was useful to have experiences early on which involved all of Newton’s Services. She noted that everyone worked incredibly well together during these times.

Ald. Linsky first addressed Dr. Zaleznik, providing her with an open invitation for her to appear before the Committee to brief them on public health issues whenever she’d like. Ald. Linsky then asked Dr. Zaleznik if there are any initiatives that she’d like to

implement going forward. She stated that she'd like to create a regionalized health department, pulling in smaller communities around us. She envisions Newton, and Newton Wellesley Hospital, as being the hub of this regional network. Other communities would pay into it services we could provide, being a larger City. Some time ago, Belmont, Arlington, and Lexington went down the path of regionalization but it fell apart. If Newton attempts this, we'd need to investigate the processes they went through and determine what went wrong in their attempt. She would also love to see the City do some wellness initiatives, starting with the schools. Ald. Linsky agreed with this, stating that childhood obesity is something we could and should pursue.

Ald. Rice talked with Dr. Zaleznik about his work to implement an impact testing program for head injuries in the high schools and middle schools. Dr. Zaleznik agrees that this is an important thing to have in the schools and is willing to work with Ald. Rice on to accomplish his goal.

Ald. Merrill voiced a concern of his about the use of the defibrillator in City Hall. He questioned whether anyone employed here is trained to use the equipment. Dr. Zaleznik assured him that people in City Hall are/will be trained to use the equipment through a course offered at City Hall this month and next month by Cataldo Ambulance Service. Furthermore, the equipment is rather self-explanatory should someone untrained need to use it. After this exchange, Ald. Merrill moved approval which carried unanimously.

#38-11            SHERYL DePAOLO et al. requesting the Board of Aldermen to establish by resolution a Newton Upper Falls Area Council pursuant to Article 9, Section 9-3, of the City Charter. [01-14-11 @11:17am]  
**APPROVED 6-0 (Baker not voting)**

**NOTE:** Ald. Linsky began by opening the public hearing on the item. Anil Adyanthaya, 11 Tamarac Road, was first to speak in support of the area council. Through the signature drive, Mr. Adyanthaya was able to discuss the plan for an area council with dozens of residents who are in favor of it. Mr. Adyanthaya first stated that he believes it would improve lines of communications between City Hall and residents in the area, thereby empowering the residents and making people feel more engaged. Having a council will allow for the organization of community activities similar to the Newton Highlands Village Day and skating rink. Having the ability to sponsor things like this will improve village life in Upper Falls. Second, he believes that this will help restore and grow the community spirit. As people move and others get older that feeling may dissipate; having an area council will remind people that it is a community, thereby perpetuating the spirit. He also shared that people feel a great attachment to Newton Upper Falls as a historic district; there was recently a book published about the history of upper falls which sparked much interest and sold so well that it was difficult to find.

Mark Bridger, 31 Champa Street addressed the Committee next. He stated that the people of Upper Falls deserve this council. He agreed with Mr. Adyanthaya that the residents there have a strong sense of community and this way they can express themselves.

Jerry Reilly, 12 Spring Street, the publisher of the book on the history of Upper Falls, spoke to the Committee. He shared that when the book came out a couple weeks

ago there was a gathering to celebrate; there was quite a turn-out and everyone brought memorabilia from their homes. The people of Upper Falls have a wonderful sense of community and spirit and this is a great way to ensure that that spirit continues.

Charles Benedict, 84 Rockland Place, agreed with the others that this is a tight knit community of people who are very proud of the Upper Falls area. The creation of this area council will go a long way towards maintaining that pride and maintaining the significance of the Village.

Groot Gregory, 296 Lake Ave, is a current member of the Highlands Area Council. Mr. Gregory shared with the Committee that joining the Highlands Area Council was the first thing that connected him to the neighborhood; through his involvement in the Council he became a part of the community and learned about the City. The creation of this area council will benefit current residents as well as new residents who will benefit, as Mr. Gregory did, through having the Council to include and inform them about the larger community.

Jennifer Kohl, 216 Elliot Street, is very excited about the creation of the Area Council as a way for the residents to voice their desires and concerns. Ms. Kohl resides near the Needham Street Corridor, and would like to see the corridor become safer for walkers. Additionally, Ms. Kohl shared that it would be nice to have transportation between Newton and Needham.

Bob Rooney, Chief Operating Officer, spoke on behalf of the Mayor, stating that the administration is completely behind this and is looking forward to having this conduit for communication so that the City can communicate more efficiently with the residents. Mr. Rooney also mentioned that Sarah Ecker will be the point person from the Executive Office for the Area Council.

The Newton Highlands Area Council has been, to date; the only area council created in the last thirty years since the idea of area councils was developed. Over the last 3 decades the Highlands Area Council has worked very well. Ald. Linsky asked if elections for the Council would be held coincidental with City elections. Ald. Rice relayed what Craig Manseau, Executive Secretary of Elections, had told him: the Area Council can set up their own election guidelines, as long as the Election Commission certifies who is running. Ald. Sangiolo asked what kinds of additional resources might be needed from the Election Commission for this involvement. Ald. Rice assured her that it's the same process as the Highland Council. Mr. Manseau would create the ballot and then hand it over to the Area Council to handle (50 signatures are needed for someone to get on the ballot). The number of members on the Upper Falls Council will be the same as the number of members in the Highlands Area Council.

Former Alderman Mansfield addressed the Committee. He noted that when the Board establishes the Area Council they will also be establishing the services area. The Board can adjust this area at a later time if necessary. Mr. Mansfield asked how the map was developed as Waldorf Road is included in it, a road that is currently in the Newton Highlands Area Council service area. It was determined that representatives from the two areas will need to meet and determine which streets are included in which area council before the full Board passes this item. Ald. Rice will provide this information, as well as a confirmation of the number of Area Council members before the full Board meeting. The public hearing was closed and Ald. Rice moved approval of the item subject to Second Call based upon the forthcoming documentation clarifying service

areas for Upper Falls Area Council and Newton Highlands Area Council and confirmation on the number of members to be in the Upper Falls Area Council. The motion to approve, subject to second call, carried unanimously.

#360-09(4) PROGRAMS & SERVICES COMMITTEE requesting an amendment to Chapter 3, Section 3-30 of the City Ordinances, Dogs Off-Leash Program, to provide the Commissioner of Parks and Recreation with the authority to require permits and set reasonable fees charged to participants of the off-leash program. [02-11-11 @ 4:15PM]  
**APPROVED 6-0 (Baker not voting)**

**NOTE:** Bob DeRubeis, Commissioner of Parks and Recreation, joined the Committee at the table. Commissioner DeRubeis explained to the Committee that the only change to the ordinance is one sentence in paragraph (C) which reads “The Commissioner may require permits and set reasonable fees for participation in the off-leash program”.

Ald. Sangiolo asked whether there would be a regulatory scheme set up should the Commissioner choose to adjust the fees. Commissioner DeRubeis assured the Committee that should he ever consider adjusting the fees he would bring it to the Commission and the off leash group to discuss. If the fees aren’t working they’ll reassess. Ald Sangiolo shared with Mr. DeRubeis that she received an email from friends of Edmands Park who were concerned that now is not the time to charge people the amount proposed. Ald. Sangiolo recognized their concern, but also acknowledged that should we drop our fees, we’ll become the cheapest option around and would therefore get an overabundance of participants from out of town. Commissioner DeRubeis agreed and stated that we should keep the fees where they’ve been set and see how this amount works; it is always easier to lower fees than to raise them.

Ald. Linsky raised the question of whether the ordinance should include “with approval of the Board” to create a check-and-balance system for the Commissioner’s decisions. It was determined that this isn’t necessary since if the Board is ever unhappy with the actions the Commissioner takes it can amend the ordinance again. Though no Board involvement will occur, Ald. Fischman and Linsky suggested that the fee changes should only be implemented after a 90 day notice period. Commissioner DeRubeis agreed and will set up a process for this with the Off-Leash Area Working Group.

Ald. Linsky invited members of the public to comment; Lee McIntyre, 607 Commonwealth Ave, spoke in favor of this amendment. He stated that hundreds of dog owners are in favor of this and he believes that giving the Commissioner the flexibility to adjust fees is a wonderful thing.

Ald. Sangiolo moved to approve the item which carried through the Committee unanimously.

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

#258-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding reorganization of senior transportation services and establishment of intra-village transportation systems.

[07/08/08 @ 1:29 PM]

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

**NO ACTION NECESSARY 3-2-1 (Ald. Sangiolo and Rice opposing; Linsky abstaining)**

**NOTE:** Ald. Sangiolo introduced the item which proposes to collect on special permit conditions which require special permit grantees to contribute money to a revolving account to the jitney bus service. The jitney bus service was eliminated but the conditions still exist on special permits. This item was originally docketed during a time when the administration was going to make cuts to the senior transportation system; it was thought that this could be a way to contribute to those services. Ald. Sangiolo would like to see what this new administration thinks of the proposal.

Bob Rooney spoke on behalf of the administration saying that they feel very strongly about continuing to provide transportation for those in need; it is an important service and the administration will make every effort to preserve it in the City. He stated that it is unclear in the legal interpretation of the special permit conditions whether one can use that money for systems we currently have in place.

Ald. Sangiolo responded by saying she thinks we need to look at what we could be offering. These conditions will remain and it would be to the City's benefit to develop a different bus service for these funds to go into. These special permits allow for the collection of a substantial amount of money; there's no reason why someone shouldn't look deeper into collecting this money when it's known that the City is in need and there are discussions of minimizing the radius of school bus pick-ups and increasing the school bus fees in order to raise revenue.

Mr. Rooney noted that running bus systems are very expensive and while the special permits would allot for a good amount of money, there would be more money needed to run the system we put into place. Ald. Sangiolo disagreed stating that we don't have to go back to systems we know have failed in the past; ideas can be redeveloped and still fit into the category of "inter-village transportation" which is the broad term that the special permit conditions refers to.

Ald. Merrill moved a vote of No Action Necessary; the vote was split 3 in favor, 2 opposed, and 1 abstaining.

#52-07 ALD. PARKER, SANGIOLO, MANSFIELD, HARNEY, DANBERG, VANCE, LINSKY, HESS-MAHAN, BURG, ALBRIGHT & JOHNSON requesting an ordinance amendment to create a health care advisory committee whose function would be to recommend measures to control the rate of increase of health insurance costs, as recommended by the Newton Finance & Management Working Group in 2005 and the Blue Ribbon Commission on the Municipal Budget in 2007.

[02/09/07 @ 12:36 PM]

**HELD 7-0**

**NOTE:** Ald. Linsky began the discussion by noting that a presentation is being planned by the Executive Department, with the assistance of certain Board members, which will look at some of the health care options that the city has going into the next budget cycle. This presentation will be on March 21 following the regular business of the full Board meeting.

Former Aldermen Parker and Mansfield joined the table to discuss this. Mr. Parker spoke first. He shared with the Committee that multiple reports done by the Citizen's Advisory group, the Blue Ribbon Group, and the Newton Finance and Management working group all contained recommendations that the City establish an advisory board to look into health care costs. There is tremendous expertise in finance in this City and we should utilize it to determine a way to maintain the quality of health insurance that we currently provide while reducing the growth rate of costs; this is a plausible goal. The rate of increase for costs should mimic the rate of increase for revenue. Mr. Parker anticipates that the Mayor and the Board of Aldermen would get a report from this group annually or semiannually.

Ald. Blazar questioned why it has taken so long for this item to be seriously discussed. Mr. Parker stated that so many reviews from different working groups slowed down the process of creating this Advisory Committee. Furthermore, the administration at the time didn't see this as a priority, and half the docketers are no longer on the Board so the issue lost some steam. Ald. Sangiolo and Mansfield echoed Mr. Parker in stating that this new administration could breathe new life into this issue.

Bob Rooney, Chief Operating Office addressed the Committee on this item. He stated that health care is one of the key components of the City's finances and that the administration embraces the idea of working with the Board and with community experts on this issue. The administration has spent several months discussing possibilities and sees balancing the protection of the City's employees with the finances of the city overall as a very important issue.

He noted that the apparent actions we could take have to then be negotiated with the unions. This is all part of a bigger bargaining issue. Discussions on this item have been very productive and the administration only asks that it could be consolidated into one venue, either Long Range Planning or Programs and Services so that they can focus their efforts. Ald. Sangiolo decided that this item should stay in Programs and Services at least until after the presentation is heard at the full Board meeting on March 21<sup>st</sup>. Ald. Linsky noted that this was the precise intent of the Long Range Planning Committee's initiation of a presentation - to follow-up on the recommendations of the Citizens Advisory Group and facilitate the engagement of Board members while directing subsequent deliberation to the Programs and Services Committee.

Ald. Fischman raised discussion in the Committee about the GIC. Part of the focus of this Health Care Advisory Committee could be to examine the GIC and make recommendations to the administration on how to deal with that issue.

Ald. Baker noted that the GIC isn't an automatic win, the City has more power to manage its claims inside its own group, and furthermore the City is self-funding and not subject to appropriation as the GIC is. Mr. Parker joined Ald. Baker in his opinion that the GIC may not be a great match for Newton as we would lose flexibility and be subject to potential high rates of increase as well.

It was agreed that a subcommittee would form to advance further discussion of the item for the Committee's first meeting in April. The Committee then voted unanimously in favor following a motion to hold the item.

**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**

**HELD 7-0; REFERRED TO FINANCE 7-0**

**NOTE:** Ald. Johnson joined the table to discuss the item. She docketed this item so that the City Charter is amended to include this process; this would ensure that a good practice is carried on and not lost in the future. Bob Rooney, Chief Operating Officer, communicated that the administration agrees with this proposal and is currently working on accomplishing the tasks that the docket item references. Ald. Johnson would like to see this taken up by Finance. Ald. Baker noted, and the rest of the committee agreed, that he would be more comfortable acting on this item after the Finance Committee takes it up. Ald. Sangiolo noted that though Finance voted No Action Necessary, she is under the impression that Ald. Gentile will reconsider any NAN'ed item, if requested. She recommended that the Programs and Services Committee request that the Finance Committee reexamine the item before this Committee takes it up again to discuss language.

Ald. Baker moved hold and requested that Ald. Sangiolo talk to Ald. Lennon and/or Ald. Gentile. Ald. Fuller stated that she feels very strongly about the item. She would like herself, Ald. Rice, Ald. Johnson, and Ald. Hess-Mahan to work with Mr. Rooney and Chief Financial Officer Marureen LeMieux to determine best practices to be presented at the Finance Committee. Ald. Baker moved to hold the item and to refer it to the Finance Committee. The motion carried unanimously and the Committee voted to adjourn.

Respectfully Submitted,

Stephen Linsky, Vice Chair

## Curriculum Vitae

**DATE PREPARED:** January, 2011

**Name:** Dori Faith Zaleznik

**Home Address:** 25 Sky View Circle, Newton Centre, MA 02459

**Telephone:**

**Email:**

**Fax:**

**Place of Birth:**

CITY CLERK  
NEWTON, MA 02159

11 FEB - 3 A 11: 57

### Education

1967-1969	Matthew Vassar Scholar 1968-1969		Vassar College
1971	B.A. <i>magna cum laude</i>	American studies	Yale University
1972-1973		Special student for premed	Massachusetts Institute of Technology
1977	M.D.		Harvard Medical School

### Postdoctoral Training

7/77-6/78	Intern	Internal Medicine	Beth Israel Hospital
7/78-6/80	Resident	Internal Medicine	Beth Israel Hospital
7/80-6/81	Clinical Fellow	Infectious Diseases	Brigham & Women's Hospital
7/81-6/83	Research Fellow	Infectious Diseases	Channing Laboratory, Brigham & Women's Hospital

### Faculty Academic Appointments

7/83-6/87	Instructor in Medicine		Harvard Medical School
7/87-6/99	Assistant Professor of Medicine		Harvard Medical School
7/99-6/01	Assistant Clinical Professor of Medicine		Harvard Medical School
7/01-	Associate Clinical Professor of Medicine		Harvard Medical School

### Appointments at Hospitals Past

7/83-6/87	Assistant Physician	Medicine	Beth Israel Hospital
-----------	---------------------	----------	----------------------



7/84-6/96	Associate Physician	I.D. Medicine	Brigham & Women's Hospital
7/87-6/95	Associate Physician	I.D. Medicine	Beth Israel Hospital
7/95-6/96	Physician	I.D. Medicine	Beth Israel Hospital
7/96-6/98	Senior Physician	I.D. Medicine	Brigham & Women's Hospital

**Current**

7/96-	Senior Physician	I.D. Medicine	Beth Israel Deaconess Medical Center
-------	------------------	------------------	---

**Other Professional Positions**

2004-2006	Vice President/Medical Director		Enhanced Medical Decisions, Inc.
2007-2010	CEO and Founder		Ultimate Medical Information, LLC

**Major Administrative Leadership Responsibilities**

1983-1985	Course Director, 4th Year March Infectious Diseases Course		Harvard Medical School
1985-1994	Hospital Epidemiologist		Beth Israel Hospital
1988	Acting Firm Chief August-October, 1988		Beth Israel Hospital
1995	Acting Clinical Chief, I.D. division April-November, 1995		Beth Israel Hospital
1990-1996	Director of Internship Selection		Beth Israel Hospital
1996-1998	Director of Internship Selection		Beth Israel Deaconess Medical Center
1997-1998	Director, Education Projects Department of Medicine		Beth Israel Deaconess Medical Center

**Professional Societies**

1986-	Infectious Diseases Society of America	Member
1987-	Massachusetts Infectious Diseases Society	Member
1988-	American Federation for Clinical Research	Member
1990-	International Society for Anaerobic Bacteria	Member
1990-1996	Society for Healthcare Epidemiology of America	Member
1998-	American Society for Microbiology	Member
1998-	American Society of Tropical Medicine and Hygiene	Member

CITY CLERK  
 NEWTON, MA 02459

11 FEB -3 A 11:57

**Editorial Activities**

1987-1993	Technical Reviewer	New England Journal of Medicine
1987-1988	Associate Editor	Infectious Disease Practice
1988-1990	Series Editor, Infectious Disease Rounds	Reviews of Infectious Diseases
1993	Compiled chapters for one-half of the Infectious Diseases section	Harrison's Companion book
1995-1998	Editorial Board Infectious Diseases section	UpToDate in Medicine
1997-2000	Series Editor, Morbidity and Mortality conferences	Beth Israel Hospital and New England Journal of Medicine
1998-2004	Deputy Editor	UpToDate in Medicine
2008-	Reviewer	MedPage Today®

**Honors and Prizes**

1982-1984	Individual National Research Service Award	NIAID
1983	Award to Trainee in Clinical Research	American Federation for Clinical Research
1984-1987	New Investigator Research Award	NIAID
1990, 1995, 1996	Nomination for the S. Robert Stone Award for Teaching	Beth Israel Hospital
1993	Nomination for the HMS Prize for Excellence in Teaching	Harvard Medical School
1995	Third Annual Combined Infectious Disease Teaching Award	Harvard Medical School, Beth Israel Hospital, Brigham & Women's Hospital, Dana- Farber Cancer Institute, Brockton/West Roxbury VA Medical Center

**Report of Technological and Other Scientific Innovations**

Anti-bacterial United States Patent No. 5,019,513, Issued May 28, 1991  
T cell Factor

11 FEB -3 A 11: 57  
 CITY CLERK  
 NEWTON, MA 02459

### **Selected Publications (out of 62 total)**

1. Onderdonk AB, Markham RB, **Zaleznik DF**, Cisneros RL, Kasper DL. Evidence for T-cell dependent immunity to *Bacteroides fragilis* in an intraabdominal abscess model. *J Clin Invest* 1982;69:9-16.
2. **Zaleznik DF**, Finberg RW, Shapiro ME, Onderdonk AB, Kasper DL. A soluble suppressor T-cell factor protects against experimental intraabdominal abscesses. *J Clin Invest* 1985; 75:1023-7.
3. Platt R, **Zaleznik DF**, Hopkins CC, Dellinger EP, Karchmer AW, Bryan CS, Burke JF, Wikler MA, Marino SK, Holbrook KF, Tosteson TD, Segal MR. Perioperative prophylaxis for herniorrhaphy and breast surgery. *New Eng J Med* 1990; 322:153-60.
4. Pickering T-D, Gurwitz JH, **Zaleznik DF**, Noonan JP, Avorn J. The appropriateness of oral fluoroquinolone prescribing in the long-term care setting. *J Am Geriatrics Soc* 1994; 42:28-32.
5. Tzianabos AO, Onderdonk AB, **Zaleznik DF**, Smith RS, Kasper DL. Structural characteristics of polysaccharides that induce protection against intra-abdominal abscess formation. *Infect Immun* 1994;62:4881-6.
6. **Zaleznik DF**, Rench MA, Hillier S, Krohn MA, Platt R, Lee MT, Flores AE, Ferrieri P, Baker CJ. Invasive group B streptococcal disease in pregnant women and neonates from diverse population groups. *Clin Infect Dis* 2000;30:276-81.
7. Eisenstein BI, **Zaleznik DF**. Enterobacteriaceae. In: Mandell GL, Douglas RG, Bennett JE, editors. *Principles and Practice of Infectious Diseases*, Philadelphia: Churchill Livingstone; 2000. p. 2294-2310.
8. **Zaleznik DF**. Hospital-acquired and intravascular device-related infections. In: Braunwald E, et al, editors. *Harrison's Principles of Internal Medicine*, 15th edition. New York: McGraw-Hill; 2001. p. 857-9.
9. **Zaleznik DF**, Kasper DL. Intraabdominal infections and abscesses. . In: Braunwald E, et al, editors. *Harrison's Principles of Internal Medicine*, 15th edition. New York: McGraw-Hill; 2001. p. 829-34.
10. Kasper DL, **Zaleznik DF**. Gas gangrene, antibiotic-associated colitis, and other clostridial infections. In: Braunwald E, et al, editors. *Harrison's Principles of Internal Medicine*, 15th edition. New York: McGraw-Hill; 2001. p. 922-7.

11 FEB - 3 A 11: 51  
 CITY CLERK  
 NEWTON, MA. 02159

City of Newton



Setti D. Warren  
Mayor

## ELECTION COMMISSION

1000 COMMONWEALTH AVENUE  
NEWTON CENTRE 02459-1449

Craig A.J. Manseau  
Executive Secretary

Frances E. Shaer, Chair  
Fay G. Cohen, Kenneth R. Hartford, Richard A. Lipof

January 11, 2011

Mr. David A. Olson  
City Clerk  
City Hall, Room # 101  
Newton, MA 02459

11 JAN 14 A 11:17  
CITY CLERK  
NEWTON, MA 02159

Dear Mr. Olson,

*The seven (7) petition forms titled "Petition To Establish A Newton Upper Falls Neighborhood Service Area"; you delivered to the Election Commission on January 11, 2011 for certification of voter signature are attached.*

*Please note that the petition must be signed by 20% of the voters residing in that area. The amount of voters residing in the Upper Falls Neighborhood Service Area is 1,026, which requires 205 certified voter signatures. The seven (7) petition forms attached have a total of 23 certified voter signatures.*

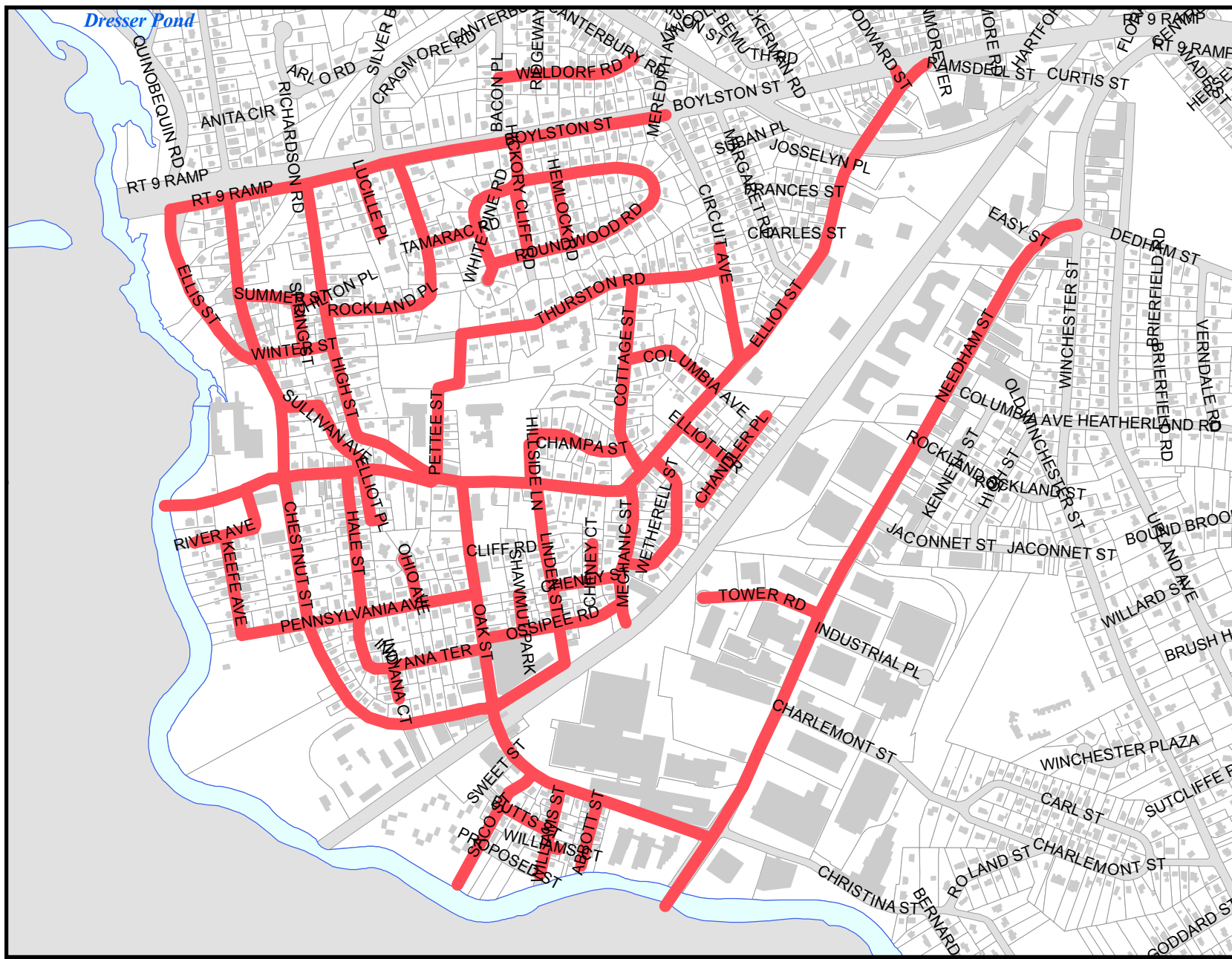
*On January 11, 2011, you delivered seven (7) petitions regarding the same Neighborhood Service Area which contained a total of 23 certified voter signatures. The additional certified voter signatures of 23 and the previous 205 certified voter signatures totals 215, this satisfy's the 20% requirement of 205.*

Respectfully,





Craig A.J. Manseau  
Executive Secretary

# Newton Upper Falls Neighborhood Service Area

City of Newton,  
Massachusetts



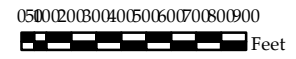
**Legend**

-  Service Area Streets
-  Building Outlines
-  Surface Water
-  Property Boundaries



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS  
 Mayor - Setti D. Warren  
 GIS Administrator - Douglas Greenfield



MAP DATE: February 18, 2011

Draft for discussion: (added language in bold underline in 3-30(c) on ~~page 2~~ 11 FEB 18 A 10:35

**Sec. 3-30 Dogs Off-Leash Program**

CITY CLERK  
NEWTON, MA. 02159

(a) Notwithstanding the provisions of Sec. 3-26(a) *Restraint of Dogs*, in areas officially designated as a "Designated Off-Leash Area" by the commissioner of parks and recreation, a dog may be permitted off-leash under the following minimum conditions, and subject to any additional rules, regulations, and restrictions that may from time to time be in effect for an off-leash area.

- (1) The dog shall at all times be accompanied by and under the control of a person, who shall ensure that the animal does not disturb the surrounding area by excessive barking, and shall ensure that it does not disturb or threaten other dogs or persons using the designated off-leash area or surrounding area;
- (2) The dog shall be leashed prior to entering and upon exiting the designated off-leash area.
- (3) Any dog left unattended is subject to impoundment by the Newton police;
- (4) The person in charge of a dog inside a designated off-leash area shall, in accordance with Section 3-29, immediately remove and as soon as practicable properly dispose of any fecal waste deposited by that dog.
- (5) The dog shall wear a collar with identification at all times, be licensed and vaccinated, healthy and parasite free.
- (6) Dogs must be at least four months old to be allowed off-leash.
- (7) The number of dogs per person in a designated off-leash area is limited to three, unless otherwise specified in the rules and regulations pertaining to a particular off-leash area.
- (8) The person in charge of a dog or dogs must at all times carry a leash for each dog under that person's supervision.
- (9) The dog owner and/or person in charge of a dog are responsible to ensure that the dog's activity conforms to all rules and regulations pertaining to the off-leash area, as well as for any injury to persons or animals, or damage to public or private property caused by the dog.
- (10) No person shall bring a female dog in heat into any designated off-leash area.
- (11) Any dog which is the subject of a complaint, investigation, order or proceeding under Section 3-25 or Section 3-27 of this ordinance, and/or under General Laws Chapter 140, section 157 shall be banned from designated off-leash areas.

(b) *Selection and Designation of Sites for Off-Leash Areas.*

- (1) *Site selection criteria.* The commissioner of parks and recreation, together with the director of planning and development, shall establish site selection criteria for the identification of appropriate sites for consideration as dogs off-leash areas on public land owned by the city, and shall identify and list potential sites for consideration as an off-leash area in accordance with such

criteria. Site selection criteria may include a preference for areas with natural topography or features that would confine dogs to the off-leash area. For any particular potential site or sites, the commissioner and director may recommend additional criteria for designation of the particular site or sites. Such additional criteria may include, but are not limited to, seasonal or time restrictions, and the need for fencing, when the commissioner deems it necessary to confine the dogs to the off-leash area. The commissioner and director may appoint a group of interested persons to advise or otherwise assist them in their duties.

- (2) *Designation of Off-Leash Areas.* Subject to the established site selection criteria, the commissioner of parks and recreation may designate specific off-leash areas on public land under the control of the city. If the identified area is under the jurisdiction of a municipal agency or commission other than the parks and recreation department, the commissioner shall obtain permission of that agency or commission prior to such designation. An agency or commission granting such permission may delegate operation and maintenance of the off-leash area to the commissioner. Prior to designation of any off-leash area, the commissioner or other municipal agency or commission having jurisdiction of the potential site shall conduct a public hearing.
- (3) *Revocation.* A designation of any off-leash area may be revoked at any time by the commissioner or by the municipal agency or commission with jurisdiction of the off-leash area.
- (4) *Areas not eligible for designation.* Notwithstanding anything to the contrary contained herein or hereafter, the following areas shall not be designated under any circumstances as designated off-leash areas: the little league baseball fields on (i) Lyons Playground; (ii) James E. Murphy Field at the Halloran Sports Complex; (iii) Leo H. Riley Field at Cabot Park; (iv) Jay Gordon Field at Newton Centre Playground; and (v) Richardson Field.
- (5) *Other Public Land.* On land in public use districts that is owned by the Commonwealth or other government entity, the commissioner and director may identify appropriate potential sites and seek the appropriate government entity's approval to designate such sites for off-leash areas, subject to such terms and conditions as the Commonwealth or other government entity may require.

(c) *Rules and Regulations.* In addition to the minimum conditions listed in section (a) applicable to all designated off-leash areas, the commissioner may from time to time promulgate rules and regulations for the general operation and use of all off-leash areas, as well as rules and regulations specific to the use and operation of an individual site. **The commissioner may require permits and set reasonable fees for participation in the off-leash program.** The commissioner may impose time, seasonal, or other restrictions for the use of any area. In the case of off-leash areas on sites under the jurisdiction of another agency or commission, that agency or commission shall approve such rules, regulations and restrictions, and may make such additional rules, regulations, and restrictions it deems necessary.

(d) *Signs.* All conditions, rules and regulations, and other restrictions applicable to a designated off-leash area, as well as the boundaries of such area, shall be conspicuously posted.

(e) *Penalties.* The owner and/or the person in charge of a dog in a designated off-leash area who fails to control said dog or who violates any of the rules, regulations or restrictions pertaining to the designated off-leash area shall be subject to a fine of fifty dollars (\$50.00) for each offense. (Ord. No.Z-11, 12-03-07; Ord. No Z-54, 11-02-09; Ord. No. Z-65, 05-17-10; Ord. No. Z-70, 08-09-10)

11 FEB 18 A 10 30  
ITEM #360-09(4)  
CITY CLERK  
NEWTON, MA. 02159

Draft for discussion: (added language in bold underline)

(c) *Rules and Regulations.* In addition to the minimum conditions listed in section (a) applicable to all designated off-leash areas, the commissioner may from time to time promulgate rules and regulations for the general operation and use of all off-leash areas, as well as rules and regulations specific to the use and operation of an individual site. **The commissioner may require permits and set reasonable fees for participation in the off-leash program.** The commissioner may impose time, seasonal, or other restrictions for the use of any area. In the case of off leash areas on sites under the jurisdiction of another agency or commission, that agency or commission shall approve such rules, regulations and restrictions, and may make such additional rules, regulations, and restrictions it deems necessary.