

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, MARCH 09, 2011

8:00PM Room 222

ITEMS SCHEDULED FOR DISCUSSION:

Appointment by His Honor the Mayor

#66-11 JEFFREY HERRMANN, 111 Exeter Street, West Newton, appointed to the Board of Trustees of the Newton Free Library for a term of office to expire on June 30, 2014. [02-22-11 @6:06PM]

Appointment by His Honor the Mayor

#67-11 DANA HANSON, 64 Kingswood Road, Auburndale, appointed to the Board of Trustees of the Newton Free Library to fill an unexpired term of office through June 30, 2011 and then re-appointed for a full term of office beginning July 1, 2011, which term will expire on June 30, 2016. [02-22-11 @6:06PM]

Appointment by His Honor the Mayor

#68-11 JOHN LOJEK, Commissioner of Inspectional Services, appointed to the Commission on Disabilities as established by Ordinance Z-74, dated January 18, 2011, for a term of office to expire on June 30, 2012. [02-28-11 @12:23PM]

Appointment by His Honor the Mayor

#69-11 JANE BROWN, 104 Atwood Avenue, Newtonville, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2012. [02-28-11@12:33PM]

Appointment by His Honor the Mayor

#70-11 SUSAN ROBERTS, 250 Hammond Pond Parkway, 404 South, Chestnut Hill, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2012. [02-28-11 @12:33PM]

Appointment by His Honor the Mayor

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Kathleen Cahill, 617-796-1125, via email at KCahill@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

#71-11 ROSEMARY LARKING, 1600 Washington Street, Unit 117, Auburndale, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2013 [02-28-11 @12:33PM]

Appointment by His Honor the Mayor

#72-11 JINI FAIRLY, 80 Rowena Road, Newton Centre, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2013. [02-28-11 @12:33PM]

Appointment by His Honor the Mayor

#73-11 BARBARA LISCHINSKY, 1942 Washington Street, Unit 124, Auburndale, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2013. [02-28-11 @12:33PM]

Appointment by His Honor the Mayor

#74-11 ROB CARUSO, 237C Watertown Street, Nonantum, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2014. [02-28-11 @12:33PM]

Appointment by His Honor the Mayor

#75-11 LUCIE CHANSKY, 259 Jackson Street, Newton Centre, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2014. [02-28-11 @12:33PM]

Appointment by His Honor the Mayor

#76-11 GERARD PLANTE, 58 Ash Street, Unit A, Auburndale, appointed to the Commission on Disabilities for a term of office to expire on June 30, 2014. [02-28-11 @12:33PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#360-09(2) PROGRAM & SERVICES COMMITTEE requesting a discussion to explore possible sources of revenue to fund an off leash dog park system in the City. [11/06/09 @ 10:44 AM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

#129-08 ALD. JOHNSON, SANGIOLO AND BRANDEL requesting establishment of a new Rule of Board of Aldermen stating that any new item submitted but not yet approved or accepted by the Full Board of Aldermen is prohibited from any formal or informal discussion by any formal, informal or special committee of the Board. [03-24-08 @ 9:11 AM]

REFERRED TO PUBLIC FACILITES, PROG&SERV 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]

#207-08 ALD. BRANDEL AND SANGIOLO proposing that the following question be put before the Newton voters:
“Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 ½ the amounts required to pay for the bond issuance in order to fund Newton North High School?” [05/21/08 @ 12:58 PM]
FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

REFERRED TO PUBLIC FACILITIES COMMITTEES AND PROG AND SERV

#8-09 ALD. HESS-MAHAN, LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12/30/08 @ 9:55 AM]

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

#373-10 ALD. GENTILE, HARNEY, SANGIOLO requesting amendment to §20-13, *Noise Control*, of the City of Newton Revised Ordinances to prohibit outdoor athletic events from starting before 7 AM and increase the maximum fine to \$300. [12-10-10 @ 12:53 PM]

#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]

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
REFERRED TO FINANCE 02/23/2011

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#95-09(2) PROGRAMS & SERVICE COMMITTEE requesting establishment of an Advisory Committee to review processes of the Board of Aldermen and report recommended efficiency improvements to the Board of Aldermen. Members of the Advisory Committee shall be appointed by the Chairman and Vice Chairman of the Programs & Services Committee and the President of the Board. [11/16/09 @ 3:59 PM]

#357-10(2) ALD. YATES proposing a change in the proposed rule to eliminate the Committee on Community Preservation: community preservation items relating to housing and recreation shall be referred to the Programs and Services Committee; items relating to historic preservation and open space shall be referred to the Zoning and Planning Committee; all items shall then be referred to the Finance Committee. [12/6/2010 @ 10:57PM]
REFERRED TO RULES SUBCOMMITTEE on 01-19-11

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#422-06(2) ALD. HESS-MAHAN requesting that a task force be established to meet and prepare a report and recommendations regarding the regulation of noise, air pollution and best practices with respect to the operation of power equipment used in landscaping, property and yard maintenance, including, without limitation, leaf blowers. [01/27/09 @ 3:47 PM]

#355-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Real Property & Reuse Committee. Issues regarding reuse of public buildings to be referred to the Public Facilities Committee and issues regarding reuse of City owned land would be referred to the Land Use Committee. Effective date of this change will be January 1, 2012. [11/26/2010 @ 11:59 AM]
REFERRED TO RULES SUBCOMMITTEE 12/8/10

#356-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Post-Audit Committee. All post audit/follow-up items will be discussed in the substantive committee that originally heard the item. Effective date of this change will be January 1, 2012.[11/26/2010 @ 11:59 AM]
REFERRED TO RULES SUBCOMMITTEE 12/8/10

#357-10 PRESIDENT LENNON and ALD. LAPPIN requesting a change to the rules of the Board of Aldermen to eliminate the Committee on Community Preservation. All Community Preservation items will be referred to the Finance

Committee. Effective date of this change will be January 1, 2012. [11/26/2010 @ 11:59 AM]

REFERRED TO RULES SUBCOMMITTEE 12/8/10

#83-07(2) ALD. YATES proposing a RESOLUTION to the City's representatives and senator in the General Court asking them to co-sponsor the legislation of the Massachusetts Municipal Association that would give cities and towns the same power to determine their health care costs that agencies of the State have. [9/13/2010 @ 9:38am]

#98-10 ALD. YATES requesting that the Board of Aldermen and His Honor the Mayor take all possible steps to change state law to save local costs by giving cities and towns the right to negotiate health plans on the same basis as the Commonwealth. Such steps would include, but not be limited to, joining the Coalition to Save our Communities and notifying our city legislators of our urgent concern about this matter. [03/23/10 @ 4:29 PM]

#306-08 ALD. BAKER, DANBERG, MANSFIELD & PARKER requesting discussion of how swimming at Crystal Lake might be lawfully and safely extended beyond mid-August. [08/26/08 @ 5:03 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#311-10 HIS HONOR THE MAYOR submitting the FY'12-FY'16 Capital Improvement Program, totaling \$174,246,135 pursuant to section 5-3 of the Newton City Charter and the FY'11 Supplemental Capital budget which require Board of Aldermen approval to finance new capital projects over the next several years. [10/18/10 @5:24PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

206-10 VETERANS' AGENT requesting a discussion and support for the replacement of the WWII Honor Roll on the grounds of City Hall at the intersection of Walnut Street and Commonwealth Avenue. [07/06/10 @ 4:41 PM]

REFERRED TO LAND USE AND PROGRAMS & SERVICES COMMITTEES

#474-08(2) ALD. HESS-MAHAN & VANCE proposing that Article X of the Rules & Orders of the Board of Aldermen be amended to conform with a proposed amendment to Chapter 30 re transfer of the special permit granting authority to the Zoning Board of Appeals and/or the Planning & Development Board for projects that are not classified as Major Projects pursuant to Article X.

REFERRED TO RULES SUBCOMMITTEE

- #287-07(2) ALD. PARKER requesting a discussion with Parks and Recreation Department in regards to an appropriate marker or plaque to honor and recognize Olympic figure skater and Newton resident Tenley Albright and her skating exhibition at the Crystal Lake upon her return from the 1956 Olympic Games where she won a gold medal. [09/20/07 @ 1:22 PM]
- #82-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to allow the cities and towns to tax all telecommunications facilities in the City (which would yield at least \$1.6 million per year for Newton). [02/27/07 @ 10:21 PM]
- #370-06 ALD. SANGIOLO, PARKER, MANSFIELD requesting home rule legislation to allow advisory questions to be asked in a Newton special election.
- #298-09 ALD. MANSFIELD proposing Home Rule Legislation to amend **Article 2, Section 2-1(c) Composition; Eligibility; Election and Term** of the Newton Charter to establish four-year terms for Aldermen-at-Large with the provision for one Aldermen-at-Large to be elected from each ward at each biennial municipal election. [09-29-09 @ 6:45 PM]

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

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #270-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, School Department, and School Committee in order to determine the most effective and efficient way to organize the Information Technology Departments. [07/17/08 @ 9:53 AM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

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

- #89-08 ALD. PARKER requesting the following:
- A) review of the maintenance practices for buildings, parks and other properties owned by the City (including School Department facilities and grounds)
 - B) development of a comprehensive maintenance plan that includes regular schedules for preventive maintenance for each specific site or facility

C) a RESOLUTION requesting that implementation of said maintenance plan be funded using operating budget funds.

[02/13/08 @ 12:07 PM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

PUBLIC FACILITIES NO ACTION NECESSARY ON 11/3/10

#329-05(3)

ALD. YATES requesting a discussion relative to amending the noise control ordinance to (A) prohibit the cumulative noise level from multiple pieces of equipment operating simultaneously on the same site to exceed the maximum noise levels allowed when measured at the nearest lot line and (B) to eliminate various exemptions in residential districts.

Respectfully Submitted,

Amy Sangiolo, Chairman

Jeffrey C. (Jeff) Herrmann

111 Exeter St., West Newton, MA 02465

2006 – Independent Consultant and Adviser, Newton, MA

- Consultant and mentor to early and middle-stage technology startups
- Director / Board Member – RedTail Solutions Inc., Westborough, MA
- Active member, Walnut Ventures, Babson-based angel investor group
- Private investor

1999 – 2006 CEO and Founder, SupplyWorks, Inc., Bedford, MA

- Refocused small e-commerce consulting firm into a product business
- Internet-based application for manufacturer-supplier synchronization
- Hired entire management team, grew headcount to 83
- Raised six rounds of venture capital totaling \$42M
- Major customers: Ingersoll-Rand, Borg-Warner, Danaher, SPX
- Sold the business to Intuitive Mfg., Seattle, WA in 2006

1992 – 1998 CEO and Founder, Optimax Systems, Inc., Cambridge, MA

- Product for optimized scheduling of large manufacturing plants
- Licensed core technology from Bolt, Beranek and Newman
- Raised one round of venture capital; cash-flow positive thereafter
- Major customers: Deere, Case, Volvo Truck, General Motors
- Grew company to 36 employees
- Sold company to i2 Technologies (public co.) in 1997
- Retained as President of new i2 Scheduling Division

1983 – 1992 Senior Management Positions in the Computer Industry

- President – Simply Direct Inc., direct marketer of software products
- Director, Business Systems Marketing – NEC Information Systems
- Vice President, Marketing and Sales – MathSoft Inc.
- Vice President, Marketing and Sales – CS Division of Lee Data Corp.
- Product Marketing Manager – Visual Technology, Inc.

Education

- Ph.D. (1983), Applied Math / Computer Science, Harvard University
- Concurrent studies in the MBA program, Harvard Business School
- A.B., (1973), summa cum laude, Appl. Math / Comp. Sci., Harvard College

Personal

- Married, two grown children
- Interests: 19th Century art, music, piano, reading, travel, swimming
- References available on request

DANA K. HANSON

64 Kingswood Road | Newton, MA 02466

COMMUNITY SERVICE**AUBURNDALE COMMUNITY LIBRARY****President, Board of Directors****Newton, MA**

2011 - Present

Vice-President, Board of Directors

2009 - 2010

- Working with an all-volunteer organization to run a community library, including: coordinating and publicizing programs and events, writing weekly email communications to patrons, recruiting and supporting volunteer staff, operating the library's circulation software, staffing the library during open hours, and troubleshooting general library operations.

BURR ELEMENTARY SCHOOL**Newton, MA****Co-Chair, School Council**

2010 - present

Co-President, Board of Directors of Parent-Teacher Organization

2008 - 2010

- Planning and implementing year-round school activities and programs, chairing meetings, communicating via newsletters, engaging and recruiting parent volunteers, publicizing events, fundraising and managing the budget, and working with Principal, administrators, and teachers to ensure smooth operations at the school. Special interests include co-chairing the Burr Respect for Human Differences Committee, running annual World Cultures celebrations, and coordinating Boston/Newton "Burr FriendTrips" with our out-of-district METCO families.

FIRST UNITARIAN SOCIETY IN NEWTON**Newton, MA****Youth Group Advisor**

2004 - Present

- Volunteering with and chaperoning teenagers in their weekly meetings, helping run events and social action projects, and serving on regional youth/adult steering committee.

BURR COOPERATIVE NURSERY SCHOOL**Newton, MA****Co-President, Board of Directors**

2004 - 2008

- Worked with the director of the school to develop school policies and implement school operations, and led parent volunteers in marketing, fundraising, and general maintenance of the school.

PREVIOUS WORK EXPERIENCE

Prior to starting my family in 2000, I worked in the field of environmental science and industrial hygiene (worker safety). I conducted research and/or health and safety evaluations in workplaces ranging from construction sites/heavy manufacturing, to healthcare/laboratory settings, to schools and commercial office buildings.

- ENVIRONMENTAL HEALTH & ENGINEERING** **Newton, MA**
Associate 1999 - 2000
- UMASS LOWELL CONSTRUCTION OCCUPATIONAL HEALTH PROJECT** **Lowell, MA**
Researcher 1998 - 1999
- ENVIRONMENTAL HEALTH & ENGINEERING** **Newton, MA**
Technical Specialist 1994 - 1996
- RI DEPT OF HEALTH, OFFICE OF ENVIRONMENTAL AFFAIRS** **Providence, RI**
Special Contract Employee 1994 - 1994

EDUCATION**HARVARD SCHOOL OF PUBLIC HEALTH****Boston, MA**

Masters of Science in Environmental Science and Engineering


1998

BROWN UNIVERSITY**Providence, RI**

Bachelor of Arts in Environmental Studies

1993

JANE A. BROWN
104 ATWOOD AVENUE
NEWTONVILLE, MA 02460



My goal is to be a member of the Newton Disabilities Commission.

Profession: Speech Language Pathologist. Certificate of Clinical Competence in Speech and Language Pathology.

Education: BS, MS., CAGS Boston University

Employment: Speech Language Pathologist, Revere Public Schools - 1972 through 2001.

Duties: Direct therapeutic services to children, Core Evaluation, Diagnostics, Consultation and Collaboration with classroom teachers, involvement with parents, Building based support team, Supervision of speech assistants and University students.


Professional Associations: Massachusetts Teachers Association. National Education Association, Council for exceptional children, American Speech and Hearing Association, State Education and Advocacy Leader (SEAL)

Memberships: Amnesty International, Native American Rights, Southern Poverty Law Center, Human Rights Commission, Ward Committee, Newton Democratic Party, Greenpeace, Sierra Club, Newton Pride, Women's International League for Peace and Freedom, Women's Commission, Newton Dialogues on Peace and War and Mass. Peace Action.

Mayor's Committee for People with Disabilities: I have been a member of the Committee since November, 2005. My background in Special Education made this a logical placement. This has been a rich educational experience. Professionally, I worked with children experiencing language learning disabilities, but, MCPD provided an opportunity to work with adults to enable disabled people to receive equal access to community life through our advocacy. There has to be improved accessibility to all public facilities, commercial buildings and the streets of Newton. The Committee has allowed me the opportunity to participate in recommending approximately \$150,000 in Community Block Development Grants to improve accessibility throughout the City.

Mayor Warren has encouraged and assisted the Committee to achieve a new status as a Commission. This will allow the 35 year old group a greater permanence in the City with stronger opportunity to improve the lives of the disabled. It is an exciting and challenging time. I would like to continue to serve as a member of this group.

Susan A. Roberts
250 Hammond Pond Parkway, 404 South
Chestnut Hill, Massachusetts 02467



SUMMARY

- 2010 Finalist for the "Emerging Executive" award from the Massachusetts Technology Leadership Council
- High energy, creative professional with proven abilities to strategize, plan and implement integrated marketing efforts in both B2B and B2C.
- Extensive background in vertical marketing of both products and services in these segments: financial services, telco, footwear and apparel, retail, healthcare, high technology, legal, higher education, state and local government.
- Expertise in developing marketing to target and work with the reseller channel, Managed Service Providers, systems integrators and two-tiered distribution in addition to extensive work with direct sales.
- I prove that great communication inspires action from the market and commitment from customers. I use my communications expertise to help drive better business outcomes.
- Have helped manage 15 successful acquisitions (both pre and post-acquisition) including working in transition to successfully move assets to the acquirer.
- Recognized for my ability to ramp up quickly via media outreach as well as develop differentiated global branding/messaging, increased visibility for companies, products and services as well as create highly effective lead generation campaigns and social media campaigns.
- Extensive background working with global cross-functional teams.
- Developed and managed telesales functions, channel/partner marketing efforts, vertical industry-focused marketing departments, product management and media, analyst and investor relations functions.
- Ability to identify "first, bests and onlys" across a company and bring these attributes to life.
- I know the 'secret sauce' for effective lead generation that Sales buys into and supports.
- I present products and services (inc. SaaS) as *solutions to problems and align with sales to drive revenue*.

PROFESSIONAL EXPERIENCE

Oracle Corporation (acquired Virtual Iron Software, Inc.)

August 2008 - present

Virtual Iron was a scrappy contender in the server virtualization market; I was Vice President, Marketing at Virtual Iron and am presently Director, Product Marketing for x86 server virtualization at Oracle. I was the only executive and non-engineering person offered a position at Oracle after the acquisition.

- Reporting to the Virtual Iron CEO, use marketing as a means to make Virtual Iron's fourth place standing in the market more relevant. Strong repositioning in the face of entrenched competition.
- This included helping to ramp a 400% yearly revenue growth (\$855K vs. \$3.42M).
- Lead small team to improve relationships and results with two tiered distribution channel.
- Develop tactics to increase average selling price and automate the marketing to sales process among smaller, regional resellers.

eDial, Inc., Newton, MA

August 2000 - August 2001

A Greylock/Matrix/Atlas venture offering an IP telephony service
Vice President, Marketing,

- Reporting to the CEO, Frank Slaughter, led product redefinition efforts then launched the eDial product.
- Hired all key marketing staff (6) and managed press relations, product marketing, sales support and marketing communications functions.
- Successfully shifted the company's strategy from its original, failing, consumer orientation, to a more successful business-to-business model. This was the first, instrumental step in kicking off a subsequent overhaul of the company's basic strategy. The shift in strategy to a service provider focus ultimately resulted in their acquisition.
- Generated extensive press and analyst coverage including 2 major cover stories within 6 months of launch and "leading SIP vendor" designation from IDC.
- Initiated a major user interface redesign and enhanced other key features to make the product more commercially viable. Previously UI had been a major "deal killer".
- The company was reorganized and cut in size to focus on being acquired; sold to Alcatel approx. one year later

Cisco Systems, Denver, CO

October 1997- July 2000

Compatible Systems was a Virtual Private Networking appliance startup acquired by Cisco
Director, Marketing, Compatible Systems Corporation
Senior Marketing Manager, Cisco Service Provider Line of Business

- At Compatible, reported to the CEO/Founder managed all marketing efforts, including product management, all new branding, a major lead generation program and public relations.
- Created the marketing strategies and general visibility programs that resulted in 2 acquisition offers in 24 months, including one by Cisco. Key to this effort was a very successful branding/corporate identity program as well as the development of a leadership position in the new VPN market.
- Developed lead generation programs resulting in over 1000 sales within a 12-month period in the Fortune 1000 market for both direct selling effort and VAR channel.
- Established a leadership position via extensive press and analyst coverage. Widely regarded as a key contender in the crowded VPN space.
- Upon the acquisition of Compatible Systems joined the Service Provider Line of Business at Cisco as the first marketing person on the ILEC Market Segment Council.
- Conducted two successful product launches for Cisco, resulting in 4 sales into a new market within the first week of launch.
- Generated 30,000 web leads for new product within 2 weeks.
- Key member of Cisco team designated to develop strategies for shortening the time to market for joint efforts between Cisco and SBC, the Regional Bell Operating Company.

Neodata Services, Inc., Louisville, CO

March 1996 - September 1997

An EDS \$260 million direct marketing, data mining and business intelligence services company
Director of Industry Marketing

- Reporting to the SVP of Strategic Marketing, developed the vertical marketing function by defining job profiles for 3 industry-focused divisions, hired individuals to fill those positions and worked with them to launch market-specific programs. Other duties included: a significant rebranding of the company, extensive marketing communications efforts, sales support, product management, strategic planning, budgeting and supervised staff of 12.
- Co-authored the business plan to create a new division of the company, which became its most profitable P&L.
- Completed comprehensive market research study resulting in greater clarity regarding how to approach a diverse range of vertical markets.
- Defined and launched approximately 15 new products in one year resulting in extensive media coverage, thousands of leads and more focused, successful selling efforts.
- Key contributor on the CEO's Internet product strategy team.
- Neodata was acquired by EDS in the summer of 1997 for a substantial multiple at which time I left to pursue a new startup opportunity (Compatible Systems)

U S WEST New Media, Denver, CO

1992-1995

Division of the RBOC responsible for corporation-wide new product development efforts
Market Development Manager

Responsible for developing and launching new products for interactive television and the Internet. Responsible for sales channel development, recruiting national advertisers, conducting market research, defining product enhancements, marketing communications. Worked closely with corporate marketing to improve brand standards. One of only 35 employees certified to speak to the national media. Wrote business plans to compete for internal venture funding; 2 were successfully launched. New Media was spun off to create a separate company, which went IPO.

Precision Visuals, Inc., Boulder, CO

1991-1992

UNIX database visualization software solution
Director, Marketing Programs

Served as one of a senior team of 5 persons to help position the company for acquisition. The company was sold within 14 months at a substantial multiple. I implemented integrated marketing programs designed to rapidly heighten the profile of both the company and the CEO. I managed the marketing communications, public relations and strategic alliance efforts. This involved a major branding effort and introduction of a new product category in markets previously not part of the company's sales/marketing efforts.

Microcom, Inc., Norwood, MA

May 1989 - January 1991

A networking hardware and software company
Director, Corporate Communications

Reporting to the VP, Marketing, created a series of integrated marketing programs to substantially increase Microcom's position in the internetworking market. Assisted the CEO with the investor relations effort, resulting in record stock prices. Revised and improved corporate branding standards to include numerous new entities gained through acquisition.

Computervision and Prime Computer, Bedford, MA
CAD/CAM hardware and software provider.
Various Senior Marketing Positions

May 1986 - May 1989

Held senior international marketing positions including: Product Advertising Manager responsible for promoting all Prime products worldwide, media planning and managing 2 advertising agencies with a budget of \$8-10 million. Managed all PC-based CAD/CAM marketing including communications programs and technical documentation. Re-established Computervision as a provider in the international architecture, engineering and construction market. Key contributor to the efforts associated with combining the Prime and Computervision brands, including international research to define market perception, new identity and messaging.

Agfa Compugraphic, Wilmington, MA

February 1983 - April 1986

Multinational corporation providing a variety of publishing and typesetting solutions
Manager of Systems Sales Support

Created a comprehensive marketing and sales support program for high-end systems. Supervised a staff of 5 direct reports and 20 dotted line reports. Worked closely with the national direct sales force to close large deals, directly generating an average of \$25 million annually for a very mature product line. Extensive sales training responsibilities. Led efforts to have the nucleus of the high-end systems product line, obtained through acquisition, adhere to corporate branding standards.

Teledyne Acoustic Research, Norwood, MA

January 1981 - January 1983

Developer and manufacturer of loudspeakers and related stereo equipment
Global Communications Manager

Managed the international public relations efforts, generating significant, positive U.S. and European coverage. Also purchased all creative and consulting services for the corporation, reducing costs while creating a uniform, identifiable brand. Responsible for cooperative advertising, trade shows, channel programs and all key marketing efforts.

Steiger and Company, Springfield, MA

1978 - 1980

Chain of department stores acquired by May D&F
Staff Copywriter

Wrote advertising copy and approved all final ad materials in an in-house advertising agency. This was a high volume operation, generating approximately 40-50 ads per week in addition to 10-12 catalogs annually.

The Valley Advocate Newspapers, Springfield, MA

1977-1978

A chain of 6 weekly newspapers
Events Editor

Wrote the features column on page 2 of 2 editions; supervised freelance staff, conducted extensive interviews and contributed to special supplements.

EDUCATION


B.A., Boston University, major in art history, minor in business.
Graduate study, Boston Architectural Center, architecture and graphic design.

AWARDS AND OTHER

- Board of Trustees, The Towers of Chestnut Hill, a 423 unit residence, 2010-2013
- Keynote Speaker, Speech and the City event, Boston University School of Communications, 2009
- Business Marketing Association, silver award, Cisco database program, 2001
- International Summit Award, eDial advertising program, 2001

- Two Denver Ad Club silver awards for eDial marketing programs, 2000, 2001
- Business Marketing Association, silver award for direct mail, 2001
- Patent pending, United States Patents and Trademarks Office, for interactive television instruction
- Grand Cameo Award, Marketing Association of Colorado, for direct marketing, 1995
- Clio Award, for Best Interactive Television & Cinema Product or Service, 1995
- U S WEST Marketing Resources CEO's Extra Step Award, 1993
- Colorado Governor's Award for Excellence in Exporting, 1991
- Literacy Volunteer, Legacy for Literacy, Newton, MA, 2001-2007

Rosemary Larking
P O Box 620066
Newton, MA. 02462



WORK EXPERIENCE

Consultant, self-employed. Provide information and referral on issues of independent living of disabled persons; conduct workshops in job placement techniques, recreation, legal rights, and adaptive equipment for disabled. June 1, 1982 – present.

Computer Information Specialist, Newton-Wellesley Hospital. Set up database and spreadsheets; input data. August 17, 1992 – Sept.1,2003

Community Advocacy Coordinator, Boston Center for Independent Living, Inc. Developed an active recreation program that was utilized to organize consumers and raise consciousness concerning issues of access, civil rights, and programmatic supports; worked with commissions on disability to organize consumers around state and local issues; represented the agency at numerous meetings; prepared written reports. August 17, 1988 – July 13, 1990.

Project Director, “Access to the Best Music” program of the ProArte Chamber Orchestra of Boston. Administered program of outreach designed to make ProArte’s concerts available to elderly and disabled; served as liaison for the Orchestra and agencies whose constituencies are elderly and disabled; coordinated ticket requests and transportation to concerts; supervised volunteers; performed research and writing to meet publicity and fundraising needs of Program. October 3, 1984 – June 30, 1985.

Assistant Staff Psychologist, Belchertown State School, Belchertown, MA. Counseled adolescent retarded and physically disabled residents; prepared written reports; acted as resource person to program coordinator. September 13, 1976 – June 25, 1977.

Consultant, Regional Advisory Council, Title Iv, E.S.E.A. Advocated for disabled in Massachusetts. June 1975 – July 1979.

EDUCATION

American International College, Springfield, MA. Bachelor of Arts degree;
Major: sociology, psychology, political science; Minor: English

OTHER TRAINING

SBI training in Microsoft WORD,OUTLOOK,EXCEL and
POWERPOINT,Dragon Naturally Speaking,Toolbox,and Web Site Design

Lotus Corporation – sponsored training in basic functions of LOTUS 1,2,3,
November 1986 – July 1987.

Fourth annual conference on adaptive environments, Adaptive Environment
Center, Boston, MA. March 30 and 31, 1982.

American Coalition of Citizens with Disabilities educational workshop,
“Public Transportation for Disabled Persons” in Danvers, MA. December 12
and 3, 1981.

Philosophy Foundation, Boston, MA. Completed course in principles of
philosophy, September – December, 1981.

Family Service Association, Boston, MA. Completed course in assertiveness
training in April, 1981.

AWARDS

1991 – 1992 Pilot International Club Northeast-Potomac District “Disabled
Professional Woman of the Year” Award in May, 1992

Certificate of Appreciation from Partners for Disabled Youth, on August 20,
1990.

1988-1989 Pilot International Club’s “Professional Disabled Woman of the
Year” Award in May 1989.

Certificate of Appreciation from Massachusetts Department of Mental Health, May 1987.

Governor's Citation for outstanding contribution to bringing Music to citizens with special needs. April 3, 1985.

Nominee for National Hall of Fame for Persons with Disabilities, July 1981.

Certificate of Appreciation from Mass. Association of Paraplegics in 1972.

WRITING EXPERIENCE

Winner, Governor's Litter Olympics Award for winning essay, "Don't Give Litter a Sporting Chance!" June 1977.

Winner, Bicentennial Essay Contest, July 1976; Winner, National Arbor Day Essay Contest, April 1974.

"Equal Rights for the Handicapped", article in WOMAN'S DAY MAGAZINE, February, 1974.

Author of bills passed by Mass. Legislature:

-S.1416: a bill calling on the governor each year to issue a proclamation naming the first Sunday in October as "Independent Living Center Day". Signed into law in 1989.

-H.3423: a bill calling for investigation into the needs of physically handicapped. Signed into law on July 9, 1972.

-H.5716: a bill prohibiting discrimination in admission of blind students to state colleges and universities. Signed into law on June 1, 1972.

-H.5050: a bill eliminating medical verification of disability each time a permanently disabled person votes by absentee ballot; verify disability only once. Signed into law on June 2, 1971.

PUBLIC SPEAKING EXPERIENCE

Guest Speaker, Ward School, Newton, MA. Nov. 5, 2009

Guest Speaker, Cabot School, Newton, MA. Nov. 8, 2007

Guest Speaker, "Understanding Handicaps" Program, Newton Public Schools, Newton, MA. 1985 - 1989.

Conducted sensitivity training for Stavis Company chaircar drivers. December 16, 1987.

Speaker, Horace Mann School, March 26, 1987; Speaker, Bowen School, February 10 and 13, 1987; Speaker, Burr School, February 6, 1987; Speaker, SAR Seminar, University Hospital Boston, MA. April 27, 1986; Speaker Horace Mann School, March 27, 1986; Speaker, Burr School, February 14, 1986; Speaker 7th and 8th grade, Noble and Greenough School, Dedham, MA. November 18 and 19, 1985
 Speaker, Heath School, Brookline, A. October 23, 1985.

LEADERSHIP EXPERIENCE

Vice-chairperson, MAYOR'S COMMITTEE ON ENVIRONMENT OF THE HANDICAPPED, Newton, MA. 1989 – 1993

President, NEWTON-WELLELEY AREA BOARD FOR MENTAL HEALTH AND MENTAL HEALTH AND MENTAL RETARDATION, 1986 to 1987.

Vice-President, NEWTON-WELLESLEY AREA BOARD FOR MENTAL HEALTH AND MENTAL RETARDATION, 1985 TO 1986.

Legislative chairperson, NEWTON-WELLESLEY AREA BOARD FOR MENTAL HEALTH AND MENTAL RETARDATION, 1984 TO 1985.

Vice-chairperson, LUDLOW COUCIL ON THE HANDICAPPED, 1978 TO 1980

Founder and president, WHEELS AGAINST RESTRICTIONS, now known as DISABLED OF WESTERN MASS. INC. 1972 TO 1973.

VOLUNTEER EXPERIENCE

NEWTON ELDERLY AND DISABLED TAXATION AID COMMITTEE- 2008-present

GOVERNOR'S COUNCIL ON DISABILITY POLICY-1999-Present

MAYOR'S COMMITTEE FOR PERSONS WITH DISABILITIES, Newton, MA. 1988- Present.

WEST-NEWTON NEIGHBORHOOD ADVISORY COMMITTEE- 1993 – 2004

MASSACHUSETTS DEVELOPMENTAL DISABILITIES COUNCIL, 1991 –1995

NEWTON-WELLESLEY-NEEDHAM-SOUTH NORFOLK AREA BOARD FOR MENTAL RETARDATION, 1989 – 1992

REGIONAL ADVISORY BOARD, VERY SPECIAL ARTS, 1988 – 1990.

NEWTON-WELLESLEY AREA BOARD FOR MENTAL HEALTH AND
MENTAL RETARDATION, 1983 - 1989.

BOARD OF TRUSTEES, BOSTON CENTER FOR INDEPENDENT
LIVING, INC., 1982 - 1988.

LUDLOW COUNCIL ON THE HANDICAPPED, 1978 - 1980.

MENTAL HEALTH ASSOCIATION OF GREATER SPRINGFIELD,
1975 - 1981.

REGIONAL ADVISORY COUNCIL, SPECIAL EDUCATION, associate
member, 1975 - 1978

MASS COMMISSION TO INVESTIGATE THE NEEDS OF
PHYSICALLY HANDICAPPED, 1972 - 1976.

Summary

Well-organized, detail-oriented, and energetic administrative professional with strong oral and written communication skills. Proven ability in all aspects of program development, supervision, and coordination. Proficient in Microsoft Office and experienced with a variety of databases, including IDMS.

WORK EXPERIENCE**Director of Services**

MetroWest Center for Independent Living, Inc., 2005-Present Framingham, MA

- Member of the management team
- Supervise and manage the Direct Service staff
- Develop training materials, including the Direct Service Manual
- Train all new Direct Services staff
- Facilitate accessibility features to ensure ADA compliance of the database used in all Massachusetts IL Centers
- Responsible for all ADRC activities
- Created an accessible document for referrals among the Metrowest ADRC agencies
- Provide IL training to ASAP staff
- Chair of the Consumer Engagement Workgroup of the MSW Regional Employment Collaborative
- Verify accuracy of all Braille productions
- Improved computer class training program for consumers
- Manage the VR-IL contract
- Provide advocacy, information and referral, peer counseling, and skills training to consumers
- Produce monthly, quarterly, and annual reports to state and federal agencies

Project Director, Disability Rights Advocate

Disability Policy Consortium, Inc. 2004-2005 Boston, MA

- Created a process, supervised a team of volunteers, and conducted an accessibility review of the Massachusetts State House
- Authored the SHARE report, which became the transition and implementation plan for the State House
- Designed materials, coordinated distribution, and maintain respondent database for the CommonHealth Project
- Coordinated individuals and organizations for legislative advocacy for several bills that affect people with disabilities, including Home-Based Community Services

Computer Consultant, Owner

JDF Data Services, 1982-Present Newton, MA

- Create and maintain customer database
- Produce mailing labels and reports
- Provide direct customer service

Board Member, Treasurer, School Coordinator, Presenter

Understanding Our Differences, Inc., 1981-Present Newton, MA

- Coordinated, implemented, and presented a disability awareness program
- Recruited and trained 35 parent volunteers to participate in the program
- Created and maintained a database of the program participants
- Prepare and present Program and Corporation budgets to the Board of Directors and the Newton School Committee

Co-Founder, President, Vice-President

Foundation Fighting Blindness-Mass Affiliate, 1988-2006 Boston, MA

- Created and administered a volunteer board
- Coordinated fund raising events
- Developed support groups in different regions
- Educated the general public through speaking engagements

European Area Coordinator of Leaders, Accredited Leader, Peer Counselor

La Leche League International, 1975-1995 Schaumburg, IL

- Co-founded the first LLL group in France, which has grown to 120 groups today
- Administered projects and corresponded with LLL leaders in 11 European countries
- Arranged and presented at international conferences in U.S. and Europe
- Facilitated and educated at monthly meetings in U.S. and abroad

Co-Founder, Treasurer

Cesareans/Support, Education, and Concern, Inc., 1973 -1993 Framingham, MA

- Started a grassroots childbirth group which became a national non-profit 501 © (3)organization
- Effected change in healthcare policies and practices for women throughout the U.S.
- Presented at national healthcare conferences

Community Service

Disability Policy Consortium
Board member since 2006

Newton Mayor's Committee For People with Disabilities
Member since 2003

Carroll Center for the Blind
Legislative Advocacy Committee since 2002
Alumni Association since 2002

Awards

Heroes Among Us awarded by the Celtics 2005
the Carroll Society The Carroll Center for the Blind and Massachusetts Commission for the Blind 2009

EDUCATION

Bachelor of Arts, Emmanuel College, Boston, MA
Supervision Certificate Human Services provider Council

BARBARA LISCHINSKY
1942 Washington St. #424
Newton, MA 02466

PROFESSIONAL EXPERIENCE

Disability Advocate/Educator, self-employed. 2008 – Present

- Provide education and assistance to persons with disabilities regarding Federal and State entitlements.
- Worked with the Newton Housing Authority on Section 8 application procedures to insure that individual Privacy Laws are protected.
- Worked with Policy Analyst at MassHealth to expand the definition of “financial hardship” in the CommonHealth Premium Waiver Process allowing more people with exorbitant out-of-pocket medical expenses to qualify for waivers.
- Assist individuals in all facets of the application process for MassHealth, SSDI, Food Stamps, Fuel Assistance, Transportation and more.
- Educate individuals about reasonable accommodation with regard to application procedures and insure that agencies comply with the law allowing accommodation.
- Help individuals with documentation collection to insure timely processing of applications and proper benefit levels.
- Research new regulations to insure compliance for individuals and organizations.
- Provide education and outreach regarding rights and responsibilities of entitlements.

Motivational Speaker and Fundraiser, Massachusetts Association for the Blind, Brookline, MA 2001- 2008

- Seven time Boston Marathon entrant and Visually Impaired division winner, National 5K Blind Champion representing MAB at fundraising events, newspaper and television opportunities.
- Sponsored by Saucony Athletic Company to represent Newton in the 2006 Boston Marathon.
- Featured on Channel 5’s television show “Chronicle” for performance as a Saucony athlete in “Every Runner Has a Story”, April 2006.
- Kick-Off Speaker National Blind 5K Championships Boston, MA 2006, 2007
- Guest Speaker at the Perkins School for the Blind with Marla Runyan and Bill Rodgers promoting the importance of physical education in the life of blind children, 2003.
- Featured in Running Times and in many Boston Globe, Boston Herald, Newton Tab and other articles.

Consultant, St. Joseph Nursing Care Center, Dorchester, MA 1998-1999.

- Developed new clerical system to facilitate office communication.
- Performed accounting functions, data entry and resident account management.

Administrative Assistant to the Administrator and the Director of Nursing, St. Joseph Nursing Care Center Dorchester, MA 1997-1998

- Replied to all correspondence for the Administrator and the Director of Nursing.
- Drafted Monthly Board of Trustee agendas and minutes.
- Liaison between Administrator and personnel.
- Handled record keeping duties for Director of Nursing.
- Handled all mail directed to Administrator and Director of Nursing.

Assistant Director of Financial Aid Harvard University Graduate School of Education, Cambridge, MA 1986 – 1990

- Responsible for counseling HGSE graduate students in the application process for financial aid.
- Processed State and Federal Grant applications for potential incoming students and current students.
- Developed a computer program to calculate financial aid based on students application data.
- Monitored trends in applicant pool for racial and ethnic diversity to insure the proper administration of restricted University grants.
- Made final decisions on aid packages to incoming and current students based on application data and funds available from the Federal and State government as well as University Scholarship monies.
- Supervised support staff

Laboratory Science Coordinator, Department of Biology, Suffolk University Boston, MA 1982 – 1986

- Developed new curriculum for all undergraduate biology laboratory courses in order to better prepare faculty, teaching fellows, and students.
- Teach thirteen laboratory sections of undergraduate Biology.
- Train all department teaching assistants in laboratory protocol and prepare them for each laboratory course.
- Prepare and maintain all necessary laboratory equipment for classrooms.
- Stock supplies for Biology classrooms.
- Order all biologic and support supplies for the Department of Biology.
- Reconcile invoices with received orders for all incoming biologic and support supplies.
- Contact chemical company vendors to obtain quotes for chemicals purchased in bulk and make decision about what company would supply the University.
- Oversee departmental compliance with OSHA regulations.
- Maintain work-study logs for all teaching assistants and submit to central university financial aid office.

VOLUNTEER ACTIVITIES

- **Mayor's Committee for People with Disabilities** 2004 – Present
Involved in the Mission of the Committee.


- **Understanding Our Differences** Speaker 2005 – Present
Speak to Third Grade students about visual impairments. Since 2008, these visits include the role of Seeing-Eye dogs in the life of a blind person.
- **Guiding Eyes for the Blind Ambassador** 2008 – Present.
Developed educational lectures and materials about the role of Seeing-Eye dogs tailored to the needs of various church and civic groups.
- **Fair Housing Task Force** – 2005 – 2007
One of the original members of the Fair Housing Task Force. Involved in the two audits done by the City of Newton demonstrating discrimination against protected classes.
- **Literacy Tutor** – 2005- 2006
Taught conversational English to a Korean student. Met weekly, developed lesson plans.

EDUCATION

Ed.M Harvard Graduate School of Education, Cambridge, MA

B.S. Suffolk University, Boston, MA

**Lucie Chansky
259 Jackson Street
Newton Centre, Massachusetts 02459**



February 24, 2011

Sara Ecker
Newton City Hall
1000 Commonwealth Avenue
Newtopn Centre, Massachusetts 02459

Dear Ms Ecker,

Please consider my application for appointment to the Newton Disabilities Commission.

Experience Relative to Serving on The Newton Disabilities Commission.

I have served on the Newton Human Service Advisory Committee and the Mayor's Committee fro Persons With Disabilities for approximately 10 years.. I have been a very active and responsible member of both committees. I attend most of the meetings and participate very energetically in the selection process of the providers to whom we award funding and the selection of grantees to remove barriers to accessibility. I am very knowledgeable about the human service providers and facilities in our city because I have been actively involved in services provided to individuals with intellectual disabilities for more than 30 years.

I attended Newton Public Schools, Bates College and Boston University from which I received a Bachelor of Arts Degree in psychology.

My introduction to intellectual disabilities/disabilities and human service began in 1963 when my son Matty was born. He was eventually diagnosed as having profound intellectual disabilities and cerebral palsy. He lived at home with us, his family, until he was 26 years old, when he moved into a four person community residence on Washington Street in Auburndale.

His needs and the needs of other individuals with intellectual disabilities and other disabilities led me into what has now become more than thirty years of activism for the rights and needs of individuals with disabilities. I believe that I have an obligation to ensure that the issues, which impact the lives of these individuals, are kept in the forefront of attention of all who have potential to impact upon the quality of their lives.

My activities have included:

Membership on DDS (Commonwealth of Massachusetts Department of Developmental Services) Citizen Advisory Committees, for most of the thirty years. I have held leadership positions in the Newton connected Area and Regional Boards. I currently

chair both the Newton South Norfolk Area Board and the Metro Regional Board. I had served on the DDS State Advisory Council for several terms.

I also have had gubernatorial appointments, in addition to the DDS SAC, to the Massachusetts Developmental Disabilities Council (DD Council) and the Governor's Special Advisory Council on Disability Policy. I have served on the Public Policy and Legislative Committees of all three groups.

I have served on the Board of the Association for Retarded Citizens of Massachusetts (former name) (ArcMass), for many years. I currently am a member of their Governmental Affairs Committee and I have Chaired the Special Education Committee. I serve and have served on several ad hoc committees as well.

I also have served on a task force to the Massachusetts Rehabilitation Commission, which advised the Commissioner on MRC's implementation of improved service to individuals with learning disabilities.

Other groups with which I have been active include:

The Education Law task Force, a statewide advocacy group of Special Education lawyers and advocates.

The Newton Human Service Advisory Committee

The Mayor's Committee for People with Disabilities (appointed by Mayor Cohen)

The Newton Special Education Parent Advisory Council.

SPAN -The Special Needs Advocacy Network

Some experiences that I believe provide helpful experiences for this committee position include:

Founder and Chairperson, for about ten years, of the NWW Committee a current DDS provider

The leading force behind the establishment of a pre school program in Newton for children with intellectual disabilities and other disabilities (prior to chapter 766).

Founder and Chairperson for many years of the Newton Parent Advisory Council for Special Education.

Established and led the Newton Chapter of the Greater Boston Association for Retarded Citizens now called GBARC.

Worked with Newton Public Schools to provide, prior to Chapter 766, a class for children with profound intellectual disabilities. This probably was the first public school program, in Massachusetts, for children with such severe disabilities.

A founder and still active participant in SPAN, The Special Needs Advocacy Network, a professional organization for special education advocates.

I am a trained special education advocate. I am hired by individual families to help them obtain the services from their schools systems which chapter 766, Federal Special Education Law (IDEA) and Section 504 entitle them.

I actively advocate on all levels of the community and government for the needs of individuals with intellectual and other disabilities.

I have taken many graduate level courses in legal issues related to disabilities, special education law, and educational services to students with disabilities.

In 2009, I was awarded the Gunnar Dybwad 2009 Leadership Award by the Massachusetts Department of Developmental Services.

In summary, I believe I have the necessary experience and ability to be a productive member of The Newton Disabilities Commission. I keep myself informed about the current important issues for individuals with intellectual disabilities/other disabilities/human service needs and special education for students with various disabilities. I endeavor to share this information with the various committees on which I serve, as well as to facilitate and participate in all of the committees' areas of responsibility.

Thank you for your consideration of my appointment to the Newton Disabilities Commission.

Very truly yours,

Lucie Chansky

GIRARD A. PLANTE

OBJECTIVE

Serve people with Disabilities by actively Advocating, Access and Services Consultant, Community Activist to ensure inclusion of citizens with Disabilities.

WORK EXPERIENCE

2003–present *Boston Post-Gazette* Boston, MA

Columnist

- Write and edit a biweekly column, "Simple Times," on human interest topics, general stories, and communitywide issues.
- Interview subjects for stories and research for my column.
- Write articles for publication per assignment.

2005–2009 Bookbuilders of Boston Boston, MA

Writer

- Write articles for the company quarterly newsletter *Pages*.
- Interview subjects and research for various articles.
- Attend events to report on and write to be published in *Pages*.

2005–present Massachusetts Rehabilitation Commission Boston, MA

Contributing Writer/Editor

- Write articles for publication in the quarterly newsletter *Consumer's Voice*.
- Attend Editorial Board meetings to consult on matters of the *Voice*.

2004–present Massachusetts Rehabilitation Commission Boston, MA

Independent Consumer Consultant

- Read, Edit, and Write the summary from the Commission's Annual Conference evaluation data for publication in its final report. And work on various other projects as assigned.
- Edit rough drafts of *Consumer's Voice* prior to being published.

2000-2001 Resource Center for Independent Living, Inc. Utica, NY

Disability Rights Advocate

- Intake & Referral of Consumers
- Assisted consumers navigating Department Social Services
- Trained consumers in Federal/State disability rights/laws
- Chair, Disability Rights Committee; Outreach to community
- Advocated for consumers relating to myriad pertinent issues
- Assisted consumers to locate housing

1996-1999 Zogby International Utica, NY

Writer

- Wrote a political column for the company's national publication
- Prepared employee newsletter incl: layout, interviews, writing, editing

Freelance Writer

Observer-Dispatch 1991-1993, 1996-1999, 2004 Utica, NY
 Central New York Academy of Medicine, 1996-1997 New Hartford, NY
 Net Design 1996 Utica, NY

EDUCATION

1983-1988 Utica College of Syracuse University Utica, NY
 B.A. in Journalism, May 1988.

COMMUNITY AFFILIATIONS

2008-present SCI Advisory Board/Boston Medical Center Boston, MA
 2003-present Mayor's Committee for People w/Disabilities Newton, MA
 2001-2008 Greater Boston Chapter of the NSCIA Boston, MA
 1980-present Advocate/Activist for Disability Rights New York & MA
 2002-2006 Disability Policy Consortium Boston, MA

PAST COMMUNITY INVOLVEMENT

- Accessibility Guide, 2004 Democratic Convention, Boston, MA
- Secretary, Human Rights Commission, Utica, NY.
- VP, Resource Center for Independent Living, Inc., Utica, NY.
- Advisory Board, Oneida County Office for the Aging, Utica, NY.

[REDACTED]
58 ASH STREET, APT. A * AUBURNDALE, MA 02466 *
[REDACTED]

08 DEC 29 AM 8:56
CITY CLERK
NEWTON, MA. 02159

#130-08

Section 3. Referral of business to Committees

A. Unless objection is made the President may only refer all new business, communications, petitions and orders to the committees, as follows:

- Land Use
- Programs & Services
- Public Safety & Transportation
- Public Facilities
- Zoning & Planning
- Finance
- Real Property & Reuse
- Post Audit and Oversight
- Committee on Community Preservation

#129-08

Section 5. Committee Procedure

Any new item that has not yet been approved or accepted by the Board of Alderman is prohibited from discussion by a formal or informal committee that has been established by the Board of Aldermen or its President. Therefore, the agenda for any Committee shall be limited to items appearing on the docket and accepted at the Board meeting previous to the Committee meeting and such items as are filed and published in said agenda.

CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM

09 MAR 18 PM 2:42
CITY CLERK
NEWTON, MA 02159

DATE: March 18, 2009
TO: Rules Sub-committee
FROM: Daniel M. Funk, City Solicitor
DMF
RE: **Draft Rules Amendments – four docket items**

Attached are proposed amendments to the Board's Rules in conjunction with the discussion that occurred at the Rules Sub-committee meeting of 2/4/09.

The first proposed change is designed to clarify under what circumstances the President of the Board may refer items to either the Committee of the Whole (COW) or to Special Committees. Item 1A clarifies and strengthens the president's authority in that regard. To the contrary, Item 1B requires the President to take additional steps to send docket items to the COW or to Special Committees. Note that in both versions I have drawn a distinction between those items that are otherwise headed to one of the nine standing committees pursuant to Board Rules and those items that do not fall squarely within the jurisdiction of one of those nine committees.

The second proposed amendment simply defines what a COW is.

The third proposed amendment clarifies the procedure as to how docket items are accepted or rejected for Board consideration on the docket.

The fourth proposed amendment makes clear that an item cannot be discussed until it is actually docketed.

Finally, at the February meeting there was some discussion about the Long Range Planning Committee and how it deals with undocketed items on a fairly regular basis. Thoughts were expressed about making it an established permanent committee in the Rules and/or describing and defining what it does and what it is. I sensed that the Rules Sub-committee was uncertain how it wished to proceed with this issue. Thus, at this time, I have not drafted any proposed amendments to the Rules pertaining to this issue.

Draft Rules Amendments – arising out of Rules Sub-Committee meeting of 2/4/09

Alternative 1A– Clarify and strengthen Board president’s authority to send items to Committee of the Whole.

-Amend Art I Sec.3 C. to read as follows:

Any other new business that does not fall within the jurisdiction of the nine established permanent committees as described above shall be referred by the president to such committees as he/she deems appropriate, including the Committee of the Whole. The President may also refer new business that is within the jurisdiction of one or more of the nine permanent committees to a special committee or to the Committee of the Whole, but such referral, upon objection by a member of the Board, shall be subject to appeal to the Board who can vote to reassign such new business to alternate committee(s).

Alternative 1B– Add requirement of 2nd call vote for certain new business to be referred directly to Committee of the Whole.

-Amend Art I Sec. 3 C to read as follows:

Any other new business that does not fall within the jurisdiction of the nine established permanent committees as described above shall be referred by the President to such committees as he/she deems appropriate, including the Committee of the Whole; however, upon objection by a member of the Board, such referral shall be subject to appeal to the Board who can vote to reassign such new business to an alternate committee or committees. In the event that the President wishes to refer new business that is within the jurisdiction of the nine permanent committees to a special committee or to the Committee of the Whole, the item shall be placed on 2nd call by the Clerk of the Board and the decision on the referral shall be subject to a majority vote of the Board.

2 – Define Committee of the Whole

-Amend Art II Sec. 11 by adding subsection D:

The Committee of the Whole consists of the entire body of members of the Board in attendance, meeting as if it were in a committee setting and subject to the rules of committee procedure. The results of votes taken in Committee of the Whole are not final decisions of the Board but have the status of recommendations which the Board is given the opportunity to consider further and which it votes on finally under its regular rules.

3 – New Docket Items – Acceptance/Rejection

- Amend Art. II by adding Sec 2B(3)

Upon approval of the first call vote, all new docket items appearing on the docket bearing the date of the Board's first call vote shall be considered accepted for Board consideration with corresponding committee assignments as noted on the docket. However, the acceptance of any new docket item is subject to being placed on 2nd call for Board discussion at the same meeting at which the item first appears on the docket. At 2nd call, the Board may accept or reject the item for docketing, or postpone to a date certain the decision on whether to accept or reject it as a docket item.

4 – Late File Docket Items

- Amend Art. V. Sec. 2B by adding after the fourth sentence therein:

If the item is not admitted to the docket under suspension of the rules, it may not be discussed by any committee of the Board until after it has been admitted to a subsequent docket in accordance with these rules.

#129-08 ALD. JOHNSON, SANGIOLO AND BRANDEL requesting establishment of a new Rule of Board of Aldermen stating that any new item submitted but not yet approved or accepted by the Full Board of Aldermen is prohibited from any formal or informal discussion by any formal, informal or special committee of the Board.

[03-24-08 @ 9:11 AM]

ACTION: **APPROVED 3-0**

NOTE: Ald. Johnson said that she was satisfied with the language that Mr. Funk provided regarding late file docket items. This would pertain to an item that came in after the docket deadline and was not accepted to the docket under suspension of the rules. Until the item was accepted to a docket (typically, 2 weeks later) it could not be discussed by any committee of the Board. Ald. Johnson noted that the Board has never refused to accept an item to a docket that was filed on time. It would amend Art. V Sec. 2B of the Rules of the Board by adding after the fourth sentence therein:

If the item is not admitted to the docket under suspension of the rules, it may not be discussed by any committee of the Board until after it has been admitted to a subsequent docket in accordance with these rules.

Ald. Baker said that in a Chairmen's meeting a variety of topics may be discussed. He felt it was an appropriate place to have discussions of issues that may not be on a docket. If an item were docketed, he thought it would be out of order to discuss that item in a Chairmen's meeting. He felt the proposed language was acceptable.

The subcommittee also agreed upon the language from Mr. Funk regarding new docket items and their acceptance or rejection. This language would amend Art. II of the Rules of the Board by adding Sec. 2B(3) as follows:

Upon approval of the first call vote, all new docket items appearing on the docket bearing the date of the Board's first call vote shall be considered accepted for Board consideration with corresponding committee assignments as noted on the docket. However, the acceptance of any new docket item is subject to being placed on 2nd call for Board discussion at the same meeting at which the item first appears on the docket. At 2nd call, the Board may accept or reject the item for docketing, or postpone to a date certain the decision on whether to accept or reject it as a docket item.

The subcommittee voted to recommend approval of the above language in both instances.

Excerpt

affect next year's board. Ald. Lennon was concerned that the home rule petition process might take too long and would not be done in time for the beginning of the fiscal year. Ald. Sangiolo said they could decide, as a Board, on an amount to voluntarily give back to the city in order to save something else in the budget. Ald. Baker pointed out that the Mayor would still have to approve any appropriation, however.

Since this meeting, Ald. Sangiolo has gathered information from the Law Department indicating that a Home Rule petition could be employed to make a salary change. She will bring this information to the next discussion of this item.

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

REFERRED TO PROG.& SERV., PUB. FACIL. AND LAND USE COMMITTEES

#329-08(2) ALD. JOHNSON, ALBRIGHT AND LINSKY requesting that His Honor the Mayor implement policies and procedures that engage the Ward Alderman, as appropriate, in the determination of exemptions from the noise ordinance. [02/25/09 @ 11:24 AM]

ACTION: APPROVED 7-0 (Ald. Parker not voting)

NOTE: Ald. Johnson spoke with Mayor Cohen and he was pleased with the Resolution proposed for this item. It is attached to this report. Ald. Baker was concerned that this might not allow for some non-emergency events that might need an exemption. Ald. Johnson said that the Mayor had spoken to Dimeo about their construction schedule and calendar. He had seen the language for this resolution and felt comfortable that it would be adequate to Dimeo's needs. The Committee voted in favor of this item.

REFERRED TO PROG. & SERV., PUB. FAC., AND LAND USE COMMITTEES

#329-08 ALD. JOHNSON, ALBRIGHT & LINSKY requesting amendment to §20-13, *Noise Ordinance*, of the City of Newton Ordinances to prohibit the City from exceeding the parameters of time and decibel restrictions unless it receives approval from the Land Use Committee of the Board of Aldermen. [09/02/08 @ 12:00 PM]

ACTION: NO ACTION NECESSARY 7-0 (Ald. Parker not voting)

NOTE: This item was voted No Action Necessary by the Committee because the issue was addressed in item #329-08(2).

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#207-08 ALD. BRANDEL AND SANGIOLO proposing that the following question be put before the Newton voters:
"Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 ½ the amounts required to pay for the bond issuance in order to fund Newton North High School?" [05/21/08 @ 12:58 PM]

ACTION: HELD 7-0 (Ald. Parker not voting)



NOTE: Ald. Sangiolo said she had received inquiries from the newspaper about what was happening with this item. She felt that this issue merited some further discussion. Because they know that \$10M in interest payments are going to come due.

Ald. Sangiolo thought the question would have to be dealt with before the tax rate was set, which was generally around November 15th. She thought it would be a good idea to have the referendum question during the municipal election.

Ald. Baker did not feel it was an appropriate time to put this on the ballot and organizing a campaign around it would be difficult. Ald. Brandel agreed that it was not a good time to be asking the public for this, but he understood the City was going to be facing financial constraints and it was a problem that needed to be wrestled with. He felt they should be thinking about whether a debt exclusion was necessary, would it be a good solution to the problem, and would it be a good time to be dealing with this politically and financially. He explained that an override is an increase to the levy that gets circulated on every one's tax base incrementally, and a debt exclusion gets amortized simply so the largest payment comes first. He didn't feel the timing was right for a debt exclusion because of that. He said they needed some clarification on how a debt exclusion operates. He also felt there might be some other smaller projects that might be a better test for the debt exclusion concept. He noted that the type of overrides that passed in the last elections around the state were almost all debt exclusions. Many communities were doing multi-question ballots. It gave people the ability to pick what they would like to support. Ald. Sangiolo felt that the Newton North project was a perfect opportunity for a debt exclusion. It would free up the \$10M from the operating budget and pay the Newton North debt separately.

Ald. Johnson said that the Blue Ribbon Commission had suggested an override in the past and that the Citizen's Advisory Group recommended increasing the revenue stream but she wasn't sure if overrides were part of that. Ald. Johnson said that there is huge debt from the Newton North High School project and there are a number of elementary schools that are in need of renovation or replacement. The CAG has noted that the infrastructure, capital planning, and budgeting processes in the City are not working. The budgeting process should include this concept of debt exclusion as a topic of conversation. All things need to be looked at carefully.

Ald. Hess-Mahan suggested having David Wilkinson or Susan Burstein, Craig Manseau and somebody from the Law Department come in to establish how this would be set up and how it would work if they decided to move forward with a debt exclusion. Ald. Merrill thought it was important to educate the public on the differences between a debt exclusion and an override.

Attached is an excerpt from the March 15, 2006 Committee of the Whole meeting at which former Associate City Solicitor, Gayle Smalley, explained overrides and debt exclusions. Also attached are explanations of the same from the Massachusetts Department of Revenue website.

COMMITTEE OF THE WHOLE
EXCERPT
WEDNESDAY, MARCH 15, 2006

Debt Exclusions, Overrides, and Voter Involvement

Gayle Smalley presented information from her memo of March 10, 2006. She addressed how to calculate the amount of debt exclusion. She stated that the calculation is the total principal and interest payment due net of any reimbursement received from the state or federal government for the project.

On the question of who can docket a Proposition 2 ½ Debt Exclusion, Ms. Smalley found that the provisions of Proposition 2 ½ do not specify who may place a Debt Exclusion proposal before the Board. Thus, it is left to Newton's local rules, which allow that any person may docket an item to propose that the Board approve a debt exclusion. The Mayor, however, must submit the subsequent bond authorization, to the Board.

Ms. Smalley reported that according to the Mass. Department of Revenue, either the city can approve a debt exclusion before, or after, the debt is authorized and issued. The City may also place a package of bond projects in a single ballot question, but according to the Department of Revenue, it is more typical to see a city or town use separate ballot questions for each project.

Alderman Sangiolo asked if the City decided to do an override after the project was underway, could that new money go to pay the bill for Newton North or anything else we need? Ms. Smalley stated that this could be done. Her response was supported by Mr. Pooler who stated that it could go to pay whatever bills the City wanted to pay.

Alderman Mansfield stated that he felt that doing a debt exclusion after the project had started was not a wise course of action. If the City were faced with the need for additional funds after the project had started, an override would be the better way to go. Alderman Mansfield then stated that if a debt exclusion was passed by the voters before the beginning of the project, and the Mayor chose not to exercise that debt exclusion, which is his prerogative, then the options would become very limited.

Alderman Coletti commented that he saw quite a few options. Unfortunately, some of them were not that great. He believes that this project will have to go forward with a funding source that is accurate. That means that the Mayor will have to request an entire bond for everything less the money that we are going to get from state reimbursement. He cannot come forward with a proposal that talks about the use of new growth, because if it does not materialize then we have to do tax anticipation notes (TANs), bond anticipation notes (BANs), or revenue anticipation notes (RANs). The City will have to borrow money depending on how the Executive Department expects to

pay for the project. The board could go forward and approve up to \$80 million in bonds; it does not matter what type, to construct this project and four years down the road the City can be in a position where there is no growth and will have to sell some short term revenue notes to generate the funds to build the building while we wait for the revenue to come in - whether it is tax, state aid, bonds or revenue notes. If none of those materializes, and you now have a debt payment, you can request a debt exclusion override to raise the money to make that payment. It is a fifth way, and the best way, for the city to raise the money. It is pay as you go, so you do not have to pay it down in the future. You can begin raising the money immediately through that capacity. It gives the City some flexibility.

Alderman Coletti went on to say that he would like to see a funding mechanism that is hooked to the hotel/motel tax because that is a known \$1.4 million a year. You could easily sell tax anticipation notes in order to generate the money that is offset by that hotel/motel money as it comes in. We have the debt exclusion option to bridge the gap so that we can continue to move forward.

The Mayor is going to have to ask for the full complement of funding. He cannot come in with a plan to build a new school and build it with 30-years of new growth. That is not a legal funding mechanism because it is invisible money at this point. Aldermen Coletti hopes that the Mayor is not going to try to do that and that the Law Department can clarify that statement. It is impossible to do a project with the financing that way. We are going to have to approve the entire amount in bonds.

Alderman Albright asked if we could do a debt exclusion on some of the bonding and not all of the bonding.

Ms. Smalley emphasized that the ballot question is prescribed by law. The ballot question is about the particular project not the amount - there is no dollar amount on the ballot. Mr. Pooler added that the Department of Revenue also states that if you vote the debt exclusion, but the community has other resources that you want to use to pay the interest and principle payments, the city is not obligated to use property taxes to the full extent.

Alderman Albright asked how you explain to the voters what the impact might be if you cannot include a number?

Mr. Pooler responded that you do a projection of the debt overtime and you assume that the exclusion is going to cover the full cost of it.

President Baker asked if there were any further questions for Assistant City Solicitor Smalley and seeing none, he thanked her and allowed her to depart the meeting. He then introduced Building Commissioner Nick Parnell and Cost Estimator Craig Holmes from Rider, Hunt, Levett and Bailey to discuss cost estimation.

The Official Website of the Department of Revenue (DOR)

Mass.Gov

Department of Revenue

Home > Local Officials > Municipal Data and Financial Management > Municipal Knowledge Base > Levy Limits >

What is a Debt Exclusion ? What is a Capital Outlay Expenditure Exclusion ?

Proposition 2½ allows a community to raise funds for certain purposes above the amount of its levy limit or levy ceiling. A community can assess taxes in excess of its levy limit or levy ceiling for the payment of certain capital projects and for the payment of specified debt service costs. An exclusion for the purpose of raising funds for debt service costs is referred to as a debt exclusion, and an exclusion for the purpose of raising funds for capital project costs is referred to as a capital outlay expenditure exclusion. Both exclusions require voter approval with very limited exceptions. These exceptions are explained in the topic entitled What is a Special Exclusion.

The additional amount for the payment of debt service is added to the levy limit or levy ceiling for the life of the debt only. The additional amount for the payment of the capital project cost is added to the levy limit or levy ceiling only for the year in which the project is being undertaken. Unlike overrides, exclusions do not become part of the base upon which the levy limit is calculated for future years.

Reimbursements such as state reimbursements for school building construction are subtracted from the amount of the exclusion.

A capital outlay expenditure exclusion or debt exclusion is effective even in the rare case when the exclusion would bring the community's levy above its levy ceiling.

Both of these exclusions require a two-thirds vote of the community's selectmen, or town or city council (with the mayor's approval if required by law) in order to be presented to the voters. A majority vote of approval by the electorate is required for both types of exclusion.

Questions presented to exclude a debt obligation must state the purpose or purposes for which the monies from the debt issue will be used. Questions presented to exclude a capital outlay expenditure exclusion must state the amounts and purposes of the expenditure.

Below we highlight how exclusions are added to the levy limit:

Taking the previous year's levy limit and increasing it by 2.5%.

A. FY2000 Levy Limit \$1,000,000

B. (A) x 2.5 % \$25,000

Adding to the levy limit amounts of certified new growth added to the community's tax base:

C. FY2001 New Growth \$15,000

Adding to the levy limit amounts authorized by override votes:

D. FY2001 Override \$100,000

E. FY2001 Subtotal (A + B + C + D) \$1,140,000

Comparing the FY2001 levy limit to the FY2001 levy ceiling and applying the lesser number (compare E and F)

F. FY2001 Levy Ceiling **\$2,500,000**

\$1,140,000
Applicable FY2001 Levy Limit
(lesser of E and F)

Calculating FY2001 levy limit with debt exclusion or capital outlay expenditure exclusion:

H. FY2001 Levy Limit **\$1,140,000**

I. Add FY2001 Debt Exclusion or **\$50,000**
Capital Outlay Expenditure Exclusion

\$1,190,000
Applicable FY2001 Levy Limit with Debt Exclusion
or Capital Outlay Expenditure Exclusion

In FY2001, this community can levy up to \$1,190,000, its applicable levy limit with this debt exclusion or capital outlay expenditure exclusion.

What is an Override?

The Official Website of the Department of Revenue (DOR)

Mass.Gov

Department of Revenue

Home > Local Officials > Municipal Data and Financial Management > Municipal Knowledge Base > Levy Limits >

What is an Override?

Proposition 2½ allows a community to assess taxes in excess of the automatic annual 2.5 percent increase and any increase due to new growth by passing an override. A community may take this action as long as it is below its levy ceiling, or 2.5 percent of full and fair cash value. An override cannot increase a community's levy limit above the level of the community's levy ceiling.

When an override is passed, the levy limit for the year is calculated by including the amount of the override. The override results in a permanent increase in the levy limit of a community, which as part of the levy limit base, increases at the rate of 2.5 percent each year.

A majority vote of a community's selectmen, or town or city council (with the mayor's approval if required by law) allows an override question to be placed on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the electorate.

Below we highlight where the amount of an override is added in the calculation of the levy limit:

Taking the previous year's levy limit and increasing it by 2.5%.

A. FY2000 Levy Limit	\$1,000,000
B. (A) x 2.5 %	\$25,000

Adding to the levy limit amounts of certified new growth added to the community's tax base:

C. FY2001 New Growth	\$15,000
-----------------------------	-----------------

Adding to the levy limit amounts authorized by override votes:

D. FY2001 Override	\$100,000
E. FY2001 Subtotal (A + B + C + D)	\$1,140,000

Comparing the FY2001 levy limit to the FY2001 levy ceiling and applying the lesser number (compare E and F)

F. FY2001 Levy Ceiling	\$2,500,000
-------------------------------	--------------------

\$1,140,000
Applicable FY2001 Levy Limit
(lesser of E and F)

The community can levy up to its levy limit of \$1,140,000 in FY2001.

#207-08
#207.08

City of Newton

ELECTION COMMISSION



1000 COMMONWEALTH AVENUE
NEWTON CENTRE 02459-1449

Craig A.J. Manseau
Executive Secretary

Setti D. Warren
Mayor

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

10 APR 21 PM 3:47
CITY CLERK
NEWTON, MA. 02159

COPY

To: Amy Mah Sangiolo
Ward 4, Alderman-At-Large

Date: April 20, 2010

From: Craig A.J. Manseau, Executive Secretary *CAM*

Subject: Debt Exclusion to Appear on State Election Ballot

As you are aware Proposition 2½ allows a community to raise funds for the purposes above the amount of its levy limit or levy ceiling. A community can assess taxes in excess of its levy limit or levy ceiling for the payment of certain capital projects and for the payment of specified debt service costs. Exclusion for the purpose of raising funds for debt service costs is referred to as debt exclusion.

A community must file with the Secretary of the Commonwealth of any Proposition 2½ override questions, which includes debt exclusions to appear on the State Election ballot. The filing deadline for a debt exclusion to appear on the November 4, 2010, State Election ballot is 5:00 P.M. on Wednesday, August 4, 2010.

As stated in our telephone conversation the Law Department should be contacted for the procedures needed to be performed by the Board of Alderman in order for this to be sent to the Secretary of the Commonwealth in a timely fashion.

COPY

Bureau of Accounts
Informational Guideline Release (IGR) No. 02-101
March 2002

PROPOSITION 2½ DEBT EXCLUSIONS

(G.L. Ch. 59 §§21C(k) and 21D)

This Informational Guideline Release explains the policies of the Commissioner of Revenue regarding the borrowing amount covered by an approved Proposition 2½ debt service exclusion and adjustments to the annual exclusion schedule. It also includes new procedures and forms to be used by cities and towns with approved debt exclusions for obtaining a determination about the inclusion of cost increases within an exclusion or approval to use an adjusted exclusion schedule.

Topical Index Key:

Borrowing
Proposition 2½

Distribution:

Assessors
Treasurers
Accountants/Auditors
Mayors/Selectmen
City/Town Managers/Exec. Secys.
Finance Directors
City/Town Councils
City Solicitors/Town Counsels
Municipal/Regional School Superintendents
Regional School Treasurers

Informational Guideline Release (IGR) No. 02-101
March 2002

PROPOSITION 2½ DEBT EXCLUSIONS

(G.L. Ch. 59 §§21C(k) and 21D)

Under Proposition 2½, a city or town may present a debt exclusion referendum to voters. An approved debt exclusion provides a temporary increase in the amount the community can levy to fund the payment of debt service costs. Each year until the described debt is retired, the amount of the debt service payment due for that year is added to the levy limit to establish the maximum amount the community can levy. These guidelines explain the policies of the Commissioner of Revenue regarding two issues that arise when using a debt exclusion.

The first policy relates to determining the amount of borrowing covered by an approved debt exclusion. Debt exclusions are usually for major construction projects and often the details and costs change as the projects progress. Even though a dollar amount is not included in the referendum question approved by the voters for these projects, the exclusion is not unlimited and does not necessarily cover all cost increases. An exclusion covers the debt service costs on the borrowing amount authorized or contemplated for the described purpose or purposes at the time of the referendum vote. Debt service on any borrowing above that fixed amount is not excluded unless (1) it is a modest amount attributable to inflation, new regulatory requirements or minor project changes, or (2) another exclusion is approved by the voters.

The second policy relates to determining the amount excluded annually. Ordinarily, the annual debt exclusion is equal to the debt service payment due for that year net of any federal or state reimbursement being received for the project. Borrowing or reimbursement timing issues may result in sharp changes in the tax levies for some of these years, particularly at the outset. In these cases, an adjusted debt exclusion schedule may be used in order to moderate the impact on taxpayers. The total amount excluded over the life of the borrowing remains unchanged, but the annual exclusion amounts are adjusted. In fiscal years in which the exclusion taken is greater than the net debt service due that year, the excess is reserved for appropriation in later years when the exclusion to be taken is less than the net debt service due.

The Director of Accounts will determine the borrowing amount covered by a debt exclusion, and approve adjusted exclusion schedules, using the standards and procedures set forth in these guidelines.

GUIDELINES:

I. EXCLUSION SCOPE

A. Determination Policy

A city or town that increases the amount borrowed for a purpose described in a debt exclusion above the amount fixed at the time the exclusion referendum was approved may apply **one time only** to the Director of Accounts for a determination regarding the borrowing amount covered by that particular exclusion. Once a decision is issued, any additional amount, even if de minimis, must be financed within the community's levy limit unless the voters approve a supplementary referendum question.

B. Application Procedure

1. Applicant

The mayor, city/town manager or selectmen must submit the community's application for a determination regarding the scope of a particular exclusion.

2. Format

All applications must be made using Form DE-2 (attached). This form will also be used to notify the community of the action taken by the Director on the request.

3. Content

Applications must include a specific dollar amount of additional borrowing the community has or is planning to authorize for the purpose or purposes described in the debt exclusion. The Director will not act on requests for indefinite amounts nor pre-authorize an amount. **All determinations will be based on a fixed dollar amount specifically provided by the community.**

4. Submission

Applications must be mailed or faxed to the Director at the address or number shown on Form DE-2.

C. Determination Decisions

1. Standards

Additional borrowing the community has or is planning to authorize for the purpose or purposes described in the debt exclusion will be covered by the exclusion only if it (1) is modest in amount, and (2) funds the same project(s), as defined below.

a. Amount

The percentage increase in the amount being borrowed must be reasonable in comparison to standard measures of the rate of increases in (1) general inflation,¹ (2) construction costs,² and (3) costs of state and local government goods and services³, since the referendum.

The community must request a determination if the borrowing increase exceeds any of those measures regardless of the reason *unless it chooses to bypass the determination procedure and seek voter approval of a supplemental exclusion or fund the additional debt service within the levy limit.* See Section II-C-3-c below.

b. Project

The additional borrowing must also fund expenses reasonably necessary to completing the same fundamental elements of the described project(s).

¹ Index used to measure changes in the price of goods and services generally is the non-seasonally adjusted Consumer Price Index-All Urban Consumers (CPI-U) for all items typically purchased by consumers in the Boston-Brockton-Nashua area. The index is compiled by the U. S. Labor Department, Bureau of Labor Statistics and is updated bimonthly. The most current index can be obtained at www.bls.gov. [*Select Consumer Price Index/Get Detailed Statistics/Create Customized Tables/Consumer Price Index-All Urban Consumers (Current Series).*]

² Index used to measure changes in the price of construction costs in the National Composite Fixed-Weight index. The index is compiled by the U.S. Commerce Department, Census Bureau and updated monthly. The most current index can be obtained at www.census.gov. [*Select Subjects A- Z/C/Construction/Value of Construction Put in Place/Indexes/Monthly Indexes/U.S. Census Bureau –Composite Fixed-Weight Index (1st column).*]

³ Index used to measure changes in the price of goods and services typically purchased by governmental entities is the State and Local Implicit Price Deflator. The index is compiled by the U.S. Commerce Department, Bureau of Economic Analysis, and is updated quarterly. The most current index can be obtained at www.bea.gov. [*Select National Income and Product Account Tables/Table 7.1- Quantity and Price Indexes for Gross Domestic Product/Line 88.*]

These are defined as those types of involuntary expenses that voters could reasonably foresee might occur in the public construction or other capital project that is the subject of the debt exclusion. They would include, for example, (1) extra work required to meet regulatory or environmental regulations, such as unplanned drainage, removal of asbestos or other contaminants, or new fire and building code improvements, (2) extra work to address unanticipated problems encountered during construction, such as undetected structural deficiencies, or (3) higher acquisition costs resulting from damages awarded by a court to the owner of real estate taken by eminent domain. They would also include some voluntary expenses associated with the types of minor project changes that typically occur in capital projects, such as reconfiguring storage space or sewer lines.

They do not include, however, any expenses related to voluntary changes or expansions in the fundamental specifications of the project as represented to the voters. Examples of such material project changes would include (1) adding new components or amenities, such as a technology plan or air-conditioning, (2) expanding significantly the size or use of a facility or structure, or (3) replacing rather than repairing a major structural component, such as a roof, or demolishing and rebuilding, rather than renovating, a structure.

The community must request a determination if all or part of the borrowing will cover extra work or expenses resulting from voluntary or involuntary circumstances *unless it chooses to bypass the determination procedure and seek voter approval of a supplemental exclusion or fund the additional debt service within the levy limit.* See Section II-C-3-c below.

2. Notice

The Director will return the signed DE-2 to municipal officials to notify them of his decision.

3. Decision

a. Additional Borrowing Covered by Exclusion

If the Director determines that the additional borrowing identified by the city or town in its application is covered by the exclusion, that amount will be recorded on the DE-2. No additional amount will be covered by that particular exclusion even if de minimis.

b. Additional Borrowing Not Covered by Exclusion

If the Director determines that the additional borrowing identified by the city or town in its application is not covered by the exclusion, the DE-2 will record the exclusion amount fixed at the time of the referendum. The Director will not act on any other requests for a determination regarding that particular exclusion.

The Director will calculate the annual exclusion using the same percentage the fixed amount bears to the total debt issued for the exclusion purpose(s) unless another exclusion is approved to cover the additional borrowing as explained in Section I-C-3-c below. For example, if the exclusion covered \$20,000,000 of \$25,000,000 borrowed for the exclusion purposes, the annual exclusion would be 80% of the net debt service due for the year.

c. Approval of Supplementary Exclusions

The selectmen, town council or city council with mayoral approval if required by law may ask voters to approve another debt exclusion to cover the additional borrowing even if the Director determines the amount is covered by the original exclusion. *The community also retains the option of bypassing the determination procedure entirely and either seeking voter approval of a supplementary exclusion or funding the additional debt service within the levy limit.*

Voter action on a supplementary exclusion does not affect the original exclusion. Proposition 2½ does not contain any method for revoking or superseding an approved exclusion. Therefore, the original exclusion continues to cover the debt service costs on the borrowing fixed at the time it was voted.

If a supplementary exclusion required to cover the additional debt is not presented to or approved by the voters, the annual exclusion will be calculated on a percentage basis as explained in Section I-C-3-b above.

4. Recordkeeping

Treasurers must retain the returned application until the debt exclusion ends, *i.e.*, until the debt is retired and all adjustments to the levy limit attributable to the exclusion have been made.

II. ADJUSTED EXCLUSION SCHEDULE

A. Approval Policy

A city or town may apply to the Director of Accounts for approval to use an adjusted debt exclusion schedule in order to moderate the impact of the exclusion on its levy.

B. Application Procedure

1. Applicant

The mayor, city/town manager or selectmen must submit the community's application for approval to use an adjusted debt exclusion schedule. The assessors, treasurer and accounting officer must also sign the application.

2. Format

All applications must be made using Form DE-3 (attached). This form will also be used to notify the community of the action taken by the Director on the request.

3. Content

Applications must include the proposed exclusion schedule containing the information listed on Form DE-3.

4. Submission

Applications must be mailed or faxed to the Director at the address or number shown on Form DE-3.

C. Application Review

1. Standards

The Director of Accounts will approve use of an adjusted schedule for any municipality subject to the following conditions:

a. Excluded Debt Reserve

The accounting officer must establish an "Excluded Debt Reserve" and reserve the excess taxes raised in any fiscal year in which the exclusion taken under the adjusted schedule exceeds the actual net debt service due for that year.

The reservation of fund balance carries forward on the balance sheet and is available for appropriation for the municipality's debt service costs, or its assessed share of a regional governmental entity's debt service costs, in those years when the exclusion to be taken is less than the actual net debt service due.

b. Total Exclusion

The total amount excluded over the life of the borrowing may not exceed the municipality's net debt service costs, or its assessed share of a regional governmental entity's net debt service costs.

Reductions in future years' levy limits may be necessary if this maximum exclusion is exceeded. The Director will work with municipal officials to minimize any financial hardship that might result from such reductions.

2. Notice

The Director will return the signed DE-3 to municipal officials to notify them of his decision.

3. Recordkeeping

Treasurers must retain the returned application and adjusted schedule until the debt exclusion ends, *i.e.*, until the debt is retired and all adjustments to the levy limit attributable to the exclusion have been made.

Send to:

Bureau of Accounts
Division of Local Services
P.O. Box 9490
Boston MA 02205-9490
FAX (617) 626-2330

**DETERMINATION OF BORROWING
COVERED BY DEBT EXCLUSION**
General Laws Chapter 59 §21C(k)

DOR USE ONLY
File No.

DE-2
Rev. 3/2002

RETAIN UNTIL DEBT EXCLUSION ENDS

APPLICATION FROM CITY/TOWN OF _____
Application Date _____

INSTRUCTIONS: Provide ALL information requested.

A. AUTHORIZED SIGNATURES. Must be signed by mayor, city/town manager or majority of board of selectmen. Signature certifies that all information is true and correct and acknowledges that city/town may not amend this request, nor submit any other request, for a determination related to this particular debt exclusion once a decision has been issued.

Name	Title	Date
Name	Title	Date
Name	Title	Date
Name	Title	Date
Name	Title	Date

B. CONTACT. Provide name and telephone number of person to contact if additional information is needed to process this application.

YOU MUST ALSO COMPLETE SECTIONS C, D AND E ON REVERSE SIDE

DOR USE ONLY

FOR COMMISSIONER OF REVENUE

Base exclusion:

\$ _____

Director of Accounts

Additional debt covered:

\$ _____

Date: _____

C. DEBT EXCLUSION. Answer the following questions and attach a certified copy of the referendum vote.

1. When did voters approve the debt exclusion? ____/____/____
2. At the time of that election, how much did voters expect the project(s) described in the exclusion to cost? If the exclusion covers debt issued by a regional district, state district-wide cost, not city/town share. \$ _____
3. What was the basis for that expectation?
 - Borrowing voted before election
If yes, was borrowing voted *expressly* contingent upon passage of debt exclusion in accordance with G.L. Ch. 59 §21(m)?
 Yes No
 - Borrowing scheduled for vote after election
 - Other. Specify:

D. DEBT AUTHORIZATIONS. List in chronological order all authorized/proposed debt for same purpose(s) as the debt exclusion. If the exclusion covers debt issued by a regional district, list debt authorized/proposed by the district, not city/town share.

	<u>Date Authorized/Proposed</u>	<u>Amount Authorized/Proposed</u>
1.	____/____/____	\$ _____
2.	____/____/____	\$ _____
3.	____/____/____	\$ _____
	<u>TOTAL DEBT AUTHORIZED/PROPOSED</u>	\$ _____

Continue list on attachment, in same format, as necessary.

E. EXCLUSION COVERAGE. Check all reasons that explain why the cost of the project(s) described in the debt exclusion now exceeds the amount stated in Section C-2. A brief narrative or statement may also be attached to provide any other relevant information about the circumstances.

- Inflation (higher cost of materials/labor)
- Regulatory compliance. Specify:

- Construction problems. Specify:

- Project changes. Specify:

Send to:
Bureau of Accounts
Division of Local Services
P.O. Box 9490
Boston MA 02205-9490
FAX (617) 626-2330

**ADJUSTED
DEBT EXCLUSION SCHEDULE**
General Laws Chapter 59 §21C(k)

DOR USE ONLY
File No. _____

DE-3
Rev. 3/2002

RETAIN UNTIL DEBT EXCLUSION ENDS

APPLICATION FROM CITY/TOWN OF _____
Application Date _____

INSTRUCTIONS: Provide ALL information requested.

A. DEBT EXCLUSION. Answer the following questions.

- When did voters approve the debt exclusion? ____/____/____
- Does the exclusion cover debt issued by:

<input type="checkbox"/> Applicant city/town	<input type="checkbox"/> Regional district to which applicant belongs?
--	--
- What is the purpose of the exclusion?

B. ADJUSTED SCHEDULE. Identify proposed changes to debt exclusion schedule in table below or in attachment containing same information.

Fiscal Year	Debt Service Payment	Reimbursement	Debt Exclusion	Over/(Under) Raised	Reserved Balance
	\$	\$	\$	\$	\$

Continue list on attachment, in same format, as necessary.

YOU MUST ALSO COMPLETE SECTIONS C AND D ON REVERSE SIDE

DOR USE ONLY

FOR COMMISSIONER OF REVENUE

Schedule approved

Schedule disapproved

Director of Accounts

Date:

C. AUTHORIZED SIGNATURES. Must be signed by (1) majority of board of assessors, (2) treasurer, (3) accounting officer, and (4) mayor, city/town manager or majority of board of selectmen. Signature certifies that all information is true and correct and acknowledges that municipality's levy limit may be reduced during or after exclusion period to ensure maximum total exclusion not exceeded.

Name	Title	Date
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Name	Title	Date
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Name	Title	Date
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Name	Title	Date
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Name	Title	Date
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Name	Title	Date
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Name	Title	Date
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Name	Title	Date
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D. CONTACT. Provide name and telephone number of person to contact if additional information is needed to process this application.



SETTI D. WARREN
MAYOR

NEWTON PARKS AND RECREATION DEPARTMENT

70 Crescent Street, Newton, MA 02466
Office: (617) 796-1500
Fax: (617) 796-1512
TDD/TTY: (617) 796-1089
CITY CLERK
NEWTON, MA. 02159



ROBERT J. DERUBEIS
COMMISSIONER

March 4, 2011

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

Dear Ladies & Gentlemen:

At the January 19, 2011 meeting of the Programs & Services Committee, the Committee requested that I inquire with the Parks & Recreation Commission as to their stance on the following proposed docket item:

#8-09 ALD. HESS-MAHAN, LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12/30/08 @ 9:55 AM]

At the January 24, 2011 Commission meeting I presented the item at which time the Commission inquired why the ordinance was being proposed after synthetic fields have been installed. I explained the issue is with the synthetic turf in-fill and they are seeking alternative sources of in-fill that would be more environmentally friendly.

The following is the minutes from the January 24, 2011 P & R Commission meeting:

5. New Business

- o Commissioner DeRubeis commented the following item is going before the Board Of Aldermen and the Parks & Recreation Commission has been asked to review and comment:

#8-09 ALD. HESS-MAHAN, LINSKY, ALBRIGHT, FREEDMAN, MANSFIELD, JOHNSON, HARNEY & VANCE proposing an ordinance requiring that the installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible. [12/30/08 @ 9:55 AM]

- o The issue is with the crumb rubber used in the synthetic turf, they are looking for an alternative material.
- o Mr. Kastner recommended removing the word "maximum". Maximum equals expensive materials, which could cost the City a lot of money. Mr. Bernheimer agreed.
- o Ms. Charkoudian inquired if the current synthetic fields are lead filled and toxic. Mr. Fishman stated it is unclear. Mr. Stern agreed the science is unclear.
- o Mr. Clarke commented EPA standards allow for 8% of lead in lead free brass used for household water pipes. Lead free needs to be defined.

COMMISSION
MEMBERS

WARD 1 - BETHEL CHARKOUDIAN
WARD 2 - ARTHUR MAGNI, CHAIRMAN
WARD 3 - PETER JOHNSON

WARD 4 - FRANCIS I. RICE
WARD 5 - WALTER S. BERNHEIMER II
WARD 6 - ANDREW STERN

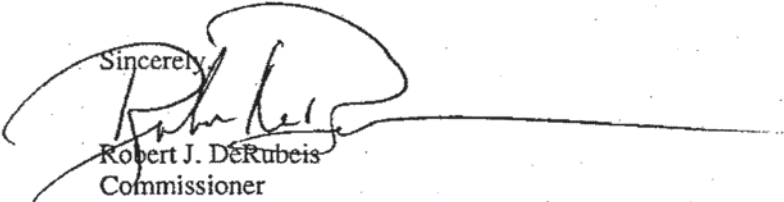
WARD 7 - RICHARD TUCKER
WARD 8 - KATHLEEN A. HEITMAN, VICE-CHAIR
COMM. SECRETARY-ROBIN McLAUGHLIN

ALTERNATES: MICHAEL CLARKE, PETER KASTNER, JACK NEVILLE, DONALD FISHMAN

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- Commissioner DeRubeis commented equipment was purchased specifically for maintenance of the crumb rubber. It would need to be determined if the current equipment could be used with different products.
- The final comments from the Commission on Item #8-09:
 1. Is this ordinance really necessary?
 2. If it is necessary will existing synthetic turf fields be grandfathered into the ordinance?
 3. Remove the word 'maximum' from the ordinance

Sincerely,



Robert J. DeRubeis
Commissioner

Requirement that installation of synthetic in-filled turf athletic fields on city-owned properties use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible.

The installation of synthetic in-filled turf athletic fields on city-owned property shall use sustainable, recyclable, lead-free, non-toxic products to the maximum extent feasible.

“Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account estimated cost, effectiveness, environmental, safety, public health, legal and technological factors.

“Maximum extent feasible” means no prudent, practical, and feasible alternative exists, taking into account the best available technology, cost effectiveness and other competing issues such as safety, public health, and environmental risks and benefits. In determining what is the maximum extent feasible, the City shall consider, at a minimum, effectiveness, engineering feasibility, commercial availability, safety, environmental impact and cost. Cost shall not be the overriding factor in determining “maximum extent feasible,” and must include consideration of projected life cycle costs, including, but not limited to, maintenance, repair, replacement, recycling and/or disposal costs over the estimated useful life of the installation. “Maximum extent feasible” is intended to be a flexible standard that may vary depending on consideration of the factors listed above and site conditions for each specific installation.

**AN ASSESSMENT OF CHEMICAL LEACHING,
RELEASES TO AIR AND TEMPERATURE AT
CRUMB-RUBBER INFILLED SYNTHETIC TURF FIELDS**

New York State Department of Environmental Conservation

New York State Department of Health

May 2009

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Preface

From the Spring of 2008 to the Fall of 2008, the New York State Department of Environmental Conservation conducted a series of studies to assess some potential impacts from the use of crumb rubber as infill material in synthetic turf fields. Crumb rubber samples were obtained from New York State manufacturers and evaluated to determine the potential for release of pollutants into the air and by leaching. Field sampling was conducted at two New York City fields to evaluate the release of airborne chemicals, release of particulate matter and measurements of heat. Ground and surface water was evaluated at other fields to assess potential impacts. The New York State Department of Health assessed the air quality monitoring survey data. This report addresses some aspects of the use of crumb rubber infill in synthetic turf fields and is not intended to broadly address all synthetic turf issues, including the potential public health implications associated with the presence of lead-based pigments in synthetic turf fibers. Information about lead in synthetic turf fibers is available in a Centers for Disease Control and Prevention Health Advisory available at <http://www2a.cdc.gov/han/archivesys/ViewMsgV.asp?AlertNum=00275>.

Executive Summary

This report presents the findings from a New York State Department of Environmental Conservation (NYSDEC) study, designed to assess potential environmental and public health impacts from the use of crumb rubber as infill material in synthetic turf fields. The New York State Department of Health (NYSDOH) evaluated the potential public health risks associated with the air sampling results. The study focused on three areas of concern: the release and potential environmental impacts of chemicals into surface water and groundwater; the release and potential public health impacts of chemicals from the surface of the fields to the air; and elevated surface temperatures and indicators of the potential for heat-related illness ("heat stress") at synthetic turf fields.

The study included a laboratory evaluation, applied to four types of tire-derived crumb rubber (car, truck, a mixture of car and truck, and a mixture cryogenically produced), to assess the release of chemicals using the simulated precipitation leaching procedure (SPLP). The results of this evaluation indicate a potential for release of zinc, aniline, phenol, and benzothiazole. Zinc (solely from truck tires), aniline, and phenol have the potential to be released above groundwater standards or guidance values. No standard or guidance value exists for benzothiazole. However, as leachate moves through soil to the groundwater table, contaminant concentrations are attenuated by adsorption and degradation, and further reduced by dilution when contaminants are mixed with groundwater. An analysis of attenuation and dilution mechanisms and the associated reduction factors indicates that crumb rubber may be used as an infill without significant impact on groundwater quality, assuming the limitations of mechanisms, such as separation distance to groundwater table, are addressed.

Analysis of crumb rubber samples digested in acid revealed that the lead concentration in the crumb rubber samples were well below the federal hazard standard for lead in soil and indicate that the crumb rubber from which the samples were obtained would not be a significant source of lead exposure if used as infill material in synthetic

turf fields. The evaluation of volatile and semi-volatile organic compounds by off-gassing proved difficult to conduct quantitatively due to the strong absorptive nature of the crumb rubber samples but the results did provide useful information for additional analytes in the ambient air field investigation.

A risk assessment for aquatic life protection performed using the laboratory SPLP results, found that crumb rubber derived entirely from truck tires may have an impact on aquatic life due to the release of zinc. For the three other types of crumb rubber, aquatic toxicity was found to be unlikely. When the results of the column tests are used in this risk assessment model, no adverse impacts are predicted for any of the crumb rubber types evaluated. Although the SPLP results predict a greater release of chemicals, the column test is considered more representative of the field conditions.

The study also included a field sampling component for potential surface and groundwater impacts. This work has not been fully completed at the time of this report. The groundwater sampling that was conducted shows no impact on groundwater quality due to crumb rubber related compounds, but this finding should not be considered as conclusive due to the limited amount of data available. Additional sampling of surface and groundwater at crumb-rubber infill synthetic turf fields will be conducted by NYSDEC. The results will be summarized in a separate report.

A field evaluation of chemical releases from synthetic turf surfaces was conducted at two locations using an air sampling method that allowed for identification of low concentration analytes and involved the evaluation of the potential releases of analytes not previously reported. Few detected analytes were found. Many of the analytes detected (e.g., benzene, 1,2,4-trimethylbenzene, ethyl benzene, carbon tetrachloride) are commonly found in an urban environment. A number of analytes found in previous studies evaluating crumb rubber were detected at low concentrations (e.g., 4-methyl-2-pentanone, benzothiazole, alkane chains (C4-C11)).

A public health evaluation was conducted on the results from the ambient air sampling and concluded that the measured levels of chemicals in air at the Thomas Jefferson and John Mullaly Fields do not raise a concern for non-cancer or cancer health effects for people who use or visit the fields.

The ambient air particulate matter sampling did not reveal meaningful differences in concentrations measured on the field and those measured upwind of the field. This may be explained by the lack of rubber dust found in the smaller size fraction (respirable range) through the application of aggressive sampling methods on the surface of the fields. Overall, the findings do not indicate that these fields are a significant source of exposure to respirable particulate matter.

The results of the temperature survey show significantly higher surface temperatures for synthetic turf fields as compared to the measurements obtained on nearby grass and sand surfaces. While the temperature survey found little difference for the indicators of heat stress between the synthetic turf, grass, and sand surfaces, on any given day a small difference in the heat stress indicators could result in a different guidance for the different surface types. Although little difference between indicators of heat stress measurements was found, the synthetic turf surface temperatures were much higher and prolonged contact with the hotter surfaces may have the potential to create discomfort, cause thermal injury and contribute to heat-related illnesses. Awareness of the potential for heat illness and how to recognize and prevent heat illness needs to be raised among users and managers of athletic fields, athletic staff, coaches and parents.

This assessment of certain aspects of crumb-rubber infilled synthetic turf fields was designed to collect data under conditions representative of "worst case" conditions (e.g., summer-time temperatures that should maximize off-gassing of chemicals). However, samples collected under different conditions, using different methods or at different fields could yield different results. For example, the results of measurements may be different for fields of other ages or designs (e.g., different volumes of crumb rubber infill, non-crumb rubber infill) or for indoor fields. This report is not intended to

broadly address all synthetic turf issues, including the potential public health implications associated with the presence of lead-based pigments in synthetic turf fibers. Information about lead in synthetic turf fibers is available in a Centers for Disease Control and Prevention Health Advisory available at

<http://www2a.cdc.gov/han/archivesys/ViewMsgV.asp?AlertNum=00275>