

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICE COMMITTEE AGENDA

WEDNESDAY, JUNE 16, 2010

7:45PM – Room 202

Chairman's Note: The Chairman will be accepting public comment on item #242-03(6) regarding the off leash dog area ordinance. The Committee will move to the Aldermanic Chamber for this portion of the meeting if necessary.

There will also be a follow-up discussion to the Health and Human Services Budget deliberations in regard to the elimination of the Director of Human and Volunteer Services position.

ITEMS SCHEDULED FOR DISCUSSION:

Appointment by his Honor the Mayor

#172-10 RICHARD KRONISH, 22 Chestnut Terrace, Newton Centre, appointed as the organized labor representative member of the NEWTON HOUSING AUTHORITY for a term to expire June 21, 2015. (60 days 08/07/10) [06/01/10 @ 6:04 PM]

#90-10(2) HIS HONOR THE MAYOR appointing DONNALYN B. LYNCH KAHN as City Solicitor, effective June 1, 2010, pursuant to §3-3 of the City Charter. (30 days 7/7/10) [06/01/10 @ 5:19 PM]

#88-10(2) HIS HONOR THE MAYOR appointing ROBERT DERUBEIS as Commissioner of Parks & Recreation, effective June 1, 2010, pursuant to §3-3 of the City Charter. (30 days 7/7/10) [06/01/10 @ 5:19 PM]

#91-10(2) HIS HONOR THE MAYOR re-appointing LINDA WALSH Interim Director of Health and Human Services, effective July 1, 2010 until a permanent replacement is hired, but not to exceed 90 days when the temporary appointment may be extended with Board of Aldermen approval pursuant to §3-6 of the City Charter. (30 days 7/7/10) [06/01/10 @ 6:19 PM]

#10-10(3) HIS HONOR THE MAYOR requesting acceptance of the 2,574 square foot triangle of land in the southeastern portion of 192 Lexington Street to be donated by Parkview Homes, LLC, as required by the terms of their Comprehensive Permit in order to continue use of the footpath thereon. [06/01/10 @ 5:06 PM]

- #242-03(5) PROGRAMS & SERVICES COMMITTEE requesting evaluation of the Off Leash Dog Pilot Program (Section 3-30(e) as established by ordinance Z-11) which was extended to June 30, 2010 to provide an opportunity for a fuller evaluation of the ordinance. [01/25/10 @ 4:45 PM]
- #242-03(6) ALD. ALBRIGHT requesting to amend Section 3-30 (as established by Ordinance Z-11) to create an off-leash dog areas ordinance. [04/26/10 @ 8:47 AM]
A. EXTEND ORDINANCE TO 9/30/10 APPROVED 6-1-0 (Ald. Sangiolo opposed; Ald. Merrill not voting)
B. FURTHER AMENDMENTS HELD 7-0 (Ald. Merrill not voting)

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

- #100-10 ALD. JOHNSON AND SANGIOLO requesting amendment of the Rules of the Board, **Section 6. Committee Reports, A.** to “It shall be the duty of any committee to whom a subject may be specifically referred to take this item up and report thereon within three weeks from the time said subject is referred to them, or at the next meeting thereafter, or to ask for further time. No committee and hence Board action (Approved, Denied, No Action Necessary) may be taken without a discussion with the primary docketer, at a minimum, with the substantive committee.” [03/21/10 @ 9:12 PM]
- #99-10 ALD. JOHNSON requesting amendment of the Rules of the Board to include the definition of “substantive committee” as referenced in **Section 3. Referral of business to Committees.** [03/21/10 @ 9:12 PM]
- #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]

REFERRED TO PUB SAFETY & TRANS AND PROG & SERV COMMITTEES

- #20-10 ALD. HESS-MAHAN AND HARNEY requesting special legislation prohibiting the use of handheld mobile devices to send, read or receive electronic messages while operating a motor vehicle within the City of Newton and in order to protect its citizens and to limit unnecessary motor vehicle accidents, injuries, and fatalities, and that the appropriate committees conduct a public hearing to examine the feasibility thereof. [01/04/10 @ 5:07 PM]

#394-09 ALD. BAKER requesting clarification of the Rules of the Board regarding referrals to Committee of appeals of decisions of the Traffic Council. [11/30/09 @ 9:34 AM]

REFERRED TO RULES SUBCOMMITTEE

#363-09 ALD. SANGIOLO requesting a discussion to increase the tobacco seller license fee. [09/13/19 @ 1:07 PM]

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

#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]

#125-09 THE POST AUDIT & OVERSIGHT COMMITTEE requesting creation of a public tree protection ordinance and amendment of the current tree ordinance as recommended in the Tree Preservation Ordinance Report. [04/17/09 @ 9:14 PM]

#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]

#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]

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.

#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 PROGRAMS & SERVICES AND FINANCE COMMITTEES

#274-08 ALD. JOHNSON AND SANGIOLO proposing a RESOLUTION to His Honor the Mayor requesting that he create a plan to move the Child Care Commission to a self-sustaining model for FY2010. [07/17/08 @ 9:53 AM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

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 PROG. & SERV. AND PUBLIC FACILITIES COMMITTEES

#271-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, the Parks and Recreation Department, and the Department of Public Works in order to determine the most effective and efficient way to organize the work of managing our public resources. [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 PROGRAMS & SERVICES AND FINANCE COMMITTEES

#258-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding reorganization of senior transportation services and establishment of intra-village transportation systems. [07/08/08 @ 1:29 PM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

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]

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 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

#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]

#262-07 ALD. VANCE AND HESS-MAHAN seeking approval by the Board of Aldermen of a home rule petition to the General Court that would authorize an amendment to the charter of the City of Newton that would change the length of terms of the members of the Board of Aldermen to three years and would provide for electing one-third of the aldermen, one from each ward, every year. [08/22/07 @ 3:53 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]

#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]

#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]

#370-06 ALD. SANGIOLO, PARKER, MANSFIELD requesting home rule legislation to allow advisory questions to be asked in a Newton special election.

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

#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.

#242-03(5) PROGRAMS & SERVICES COMMITTEE requesting evaluation of the Off Leash Dog Pilot Program (Section 3-30(e) as established by ordinance Z-11) which was extended to June 30, 2010 to provide an opportunity for a fuller evaluation of the ordinance. [01/25/10 @ 4:45 PM]

#346-99 ALD. SANGIOLO requesting creation of an ordinance that would prohibit dogs (leashed or unleashed) from all elementary school playgrounds.

Respectfully Submitted,
Amy Sangiolo, Chairman



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#172-10

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May 21, 2010

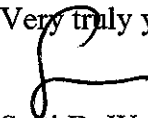
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Ladies and Gentlemen:

I am pleased to submit Mr. Richard Kronish of 22 Chestnut Terrace in Newton for appointment as a representative of organized labor on the Newton Housing Authority for a term of office expiring June 21, 2015.

Thank you for your attention to this matter.

Very truly yours,


Setti D. Warren
Mayor

CC: Jonathan Hacker, Executive Director, Newton Housing Authority
82 Lincoln St. Newton Highlands, MA 02461
Thomas Turner, Chairman, Newton Housing Authority
60 Wyoming Rd. Newton, MA 02460

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

10 JUN - 1 PM 6:04
CITY CLERK
NEWTON, MA 02159

CURRICULUM VITAE

Richard Kronish
 22 Chestnut Terrace
 Newton, MA 02459
 617-699-7914

May, 2010

Positions: Associate Professor, Sociology Dept., University of Massachusetts/Boston (ret)
 Chairman of the Board & Acting CEO, First Trade Union Bank (ret)
 Founder & President, Research Foundation for the Treatment of Ovarian Cancer
 Special Assistant, New England Carpenters Labor-Management Program

Education: B.A., University of California
 M.A., University of Wisconsin
 Ph.D., University of Wisconsin

Academic Honors:
 National Honor Society for Undergraduates
 Regents Scholarship of the University of California
 Honorary Woodrow Wilson
 NDEA Fellow
 University of Wisconsin Ford Fellow

Teaching Experience (partial):
 Public Policy (graduate course)
 Stratification
 Multinational Firms

Book: The Political Economy of the Latin American Motor Vehicle Industry, co-edited with
 Kenneth Mericle, M.I.T. Press, 1984

Service Award: Special Commendation, Massachusetts House of Representatives, in recognition of
 "tireless efforts and dedication to ovarian cancer research" (2000)

Applied Experience (1985-present):

Executive Director, Boston Carpenters Labor-Management Program, 1985-1992

Board Member, Massachusetts Affordable Housing Alliance, 1989-1992

Board Member, Massachusetts Industrial Finance Agency/ Massachusetts Development
 Finance Agency, 1992-1999

Board Member, Institute for Affirmative Action, 1992-1995

Founding Director, First Trade Union Bank, 1986-2009: I initially served as a member of
 the three-person committee responsible for establishing the Bank. I subsequently served
 as a member of the Investment (chair, 1987-2009), Personnel and Loan Committees.

Chairman of the Board, First Trade Union Bank, 1997- 2008

10 JUN - 1 PM 6:13
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Acting Chief Executive Officer, First Trade Union Bank, 1997-98, 2002-03, 2006-08

Founder & President, Research Foundation for the Treatment of Ovarian Cancer, Inc, 1997-present: This tax-exempt charitable organization has raised over \$1-million, funding innovative therapies for the treatment of ovarian cancer.

Special Assistant, New England Carpenters Labor-Management Program, 2008 -present: I have primary responsibility for the financing (New Market Tax Credits, tax-exempt bond, construction loan) of the two condos comprising the building at 750 Dorchester Avenue in Boston.

Board Member, Massachusetts Development Finance Agency, appointed April, 2010

#88-10(2)

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SETTI D. WARREN
MAYOR

**City of Newton, Massachusetts
Office of the Mayor**

10 JUN - 1 PM 5:19
CITY CLERK
NEWTON, MA. 02159

June 1, 2010

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

It is with great pleasure that I am sending this letter of recommendation of confirmation of appointment for Robert DeRubeis as Newton's Commissioner of Parks and Recreation Department effective June 1, 2010 pursuant to Section 3-3 of the City Charter. As depicted in the FY11 budget, the grade and step of this position H-14/Step 10.

Very truly yours,

A handwritten signature in black ink, appearing to read "Setti D. Warren".

Setti D. Warren
Mayor

- cc David Olsen, City Clerk
Bob Rooney, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer
Dolores Hamilton, Director of Human Resources

26 Star Road
West Newton, MA 02465
617-244-6784
R_DeRubeis@msn.com

ROBERT J DERUBEIS

OBJECTIVE

Seeking position that requires excellent business management skills in a people oriented environment. One that necessitates the assurance of a broad cooperative effort amongst all those involved and demands the use of long range planning, strong administration and persuasive assessments to reach the goals.

EDUCATION

Massachusetts School of Law <i>Juris Doctor</i>	Andover, MA
Boston University <i>Master of Education</i>	Boston, MA
University of Massachusetts/Boston <i>Bachelor of Science</i>	Boston, MA

RELATED EXPERIENCE

Parks & Recreation/City of Newton <i>Interim Commissioner</i>	Newton, MA	2010-Present
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Responsible for planning, organizing, directing, and controlling all activities of the Parks and Recreation Department, including the planning, design, acquisition, construction, and maintenance of City parks and playgrounds, recreational facilities and forestry. Develop and implement policies, procedures, and practices to accomplish goals and objectives and maintain existing programs and develop new programs for the department.

Parks & Recreation/City of Newton <i>Deputy Commissioner</i>	Newton, MA	2000-2009
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As the Deputy Commissioner of Parks and Recreation, acted for the Commissioner in her absence and represented her in areas of work as assigned. Had direct supervision over the managers and administrative support staff. Under the general direction of the Commissioner of Parks and Recreation, was responsible for the administrative planning, budgeting, organization and supervision of community recreation programs, park facilities, and maintenance.

Executive Office/City of Newton <i>Acting Chief Budget Officer</i>	Newton, MA	2005-2006
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Worked with the Mayor and the Chief Administrative Officer on the development of the FY06 budget. Prepared the budget book for the FY06 budget. Assisted department heads on the preparation of their budgets, identifying cost savings and potential revenue sources within their individual budgets.

ADDITIONAL EXPERIENCE

Parks & Recreation/City of Newton Newton, MA 1991-2000

Chief Supervisor

Had oversight and direction of the functions and programs of the recreation managers, provided executive-level assistance and policy analysis to the Commissioner and Deputy Commissioner. Acted as conduit between recreation managers and administration on policy and personnel issues. Assisted the Commissioner and Deputy Commissioner in administering and overseeing service contracts, use/management agreements, and other similar documents pertinent to the operation of the Newton Parks and Recreation Department.

Human Resources/City of Newton Newton, MA 1997-1997

Acting Director of Human Resources

Directed, implemented, administered, and evaluated the Department's day-to-day operations including recruitment, hiring, employee training, compensation, benefits administration appraisal processes, job description maintenance, and risk management programming.

Parks & Recreation/City of Newton Newton, MA 1987-1991

Recreation Manager

As a Recreation Manager, planned, managed, supervised, directed, and evaluated the City's comprehensive recreation programs, including those that took place in Parks and Recreation facilities. Coordinated programs and activities with schools, community groups, and other agencies. Supervised program and facility seasonal staff members, including scheduling, training, evaluations, and hiring of those individuals. Also had responsibility and oversight of certain recreation areas to make sure that areas were maintained and in a safe condition.

PROFESSIONAL AFFILIATIONS

- Massachusetts Recreation and Park Association
- Massachusetts Bar Association
- American Bar Association

SPECIAL SKILLS

Computer Skills

- Proficient in Excel
- Proficient in Microsoft Word
- Strong background in Performance Management (RecStat) statistical analysis

REFERENCES

- Available upon request



City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

#90-10-(2)

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swarren@newtonma.gov

June 1, 2010

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

It is with great pleasure that I am sending this letter of recommendation of confirmation of appointment for Donnalyn B. Lynch-Kahn as Newton's City Solicitor effective June 1, 2010 pursuant to Section 3-3 of the City Charter. As depicted in the FY11 budget, the grade and step of this position H-15/Step 7.

Very truly yours,

Setti D. Warren
Mayor

cc David Olsen, City Clerk
Bob Rooney, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer
Dolores Hamilton, Director of Human Resources

10 JUN - 1 PM 5: 19
CITY CLERK
NEWTON, MA 02459

LEGAL EXPERIENCE

1997- present **CITY OF NEWTON** Newton, MA

Associate City Solicitor

Lead litigator in well-respected law department. Designee for handling all high-risk legal issues, including personnel matters, civil service disciplinary issues, contract disputes and zoning enforcement. Manage all office affairs when City Solicitor is absent. Maintain regular client with Mayor, Board of Aldermen and various department heads. Recently tried and won five jury cases where over \$2,000,000 was at stake.

1991-1997 **GOLDSTEIN & MANELLO, P.C** Boston, MA

Litigator

Performed all facets of business litigation, including drafting pleadings, motions, conducting depositions, arguing motions, sitting second seat on trials and obtaining post-trial relief. Wrote appellate briefs. Served on the firm's Client Development Committee, taking part in numerous projects to market the firm and attract new business.

1990-1991 **SUPERIOR COURT OF MASSACHUSETTS** Boston, MA

Law Clerk to the Justices

Drafted over 100 Superior Court opinions for 15 judges in response to civil and criminal motions and jury-waived trials while a Law Clerk at the Superior Court of Massachusetts. Researched legal issues in-depth involving labor, zoning and environmental law, negligence and contracts. Wrote jury instructions for Superior Court judges' master handbook.

1989 **Murphy, Hesse, Toomey and Lehane** Quincy, MA

Law Clerk

Wrote labor law arbitration briefs for American Arbitration Association hearings and advised Town Selectmen and new clients on potential claims via advisory letters as a summer law clerk.

EDUCATION

1987-1990 **BOSTON UNIVERSITY SCHOOL OF LAW** Boston, MA

- JD Cum Laude
- Edward F. Hennessey Scholar Award (3rd year)
- Paul J. Liacos Scholar Award (2nd year)

1980-1983 **BINGHAMTON UNIVERSITY** Binghamton, NY

- BA/BA German and French
- Worked part-time. Financed entire education.



SETTI D. WARREN
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Office of the Mayor

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June 1, 2010

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

This letter is to request an extension of Linda Walsh as the Interim Commissioner of Health and Human Services effective July 1, 2010 pursuant to Section 3-6 of the City Charter. This appointment will be until a permanent Commissioner is selected but not to exceed ninety days without further Board approval.

During the period of this temporary appointment Linda's duties will include the administration of the Health and Human Services Department and all duties and functions of the position as governed by the City of Newton Ordinances and Massachusetts General Laws.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

Cc: Linda Walsh, Interim Commissioner of Health and Human Services
Bob Rooney, Chief Operating Officer
Dolores Hamilton, Director of Human Resources

10 JUN - 1 PM 6:11
CITY CLERK
NEWTON, MA 02459



SETTI D. WARREN
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City of Newton, Massachusetts
Office of the Mayor

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swarren@newtonma.gov

June 1, 2010

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

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to accept the following parcel of land under Condition 14(a) of the Comprehensive Permit granted to Parkview Homes, LLC:

A 2,574 square foot triangle of land in the southeastern portion of the site located at 192 Lexington Street, Auburndale, Plan C4 dated October 19, 2009 and revised November 18, 2009.

I have attached a copy of the site plan, as well as a letter from the developer's attorney for your information.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

10 JUN - 1 PM 5:06
CITY CLERK
NEWTON, MA 02159

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

SCHLESINGER AND BUCHBINDER, LLP

ATTORNEYS AT LAW

1200 WALNUT STREET

NEWTON, MASSACHUSETTS 02461-1267

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
LORI YARVIS
KRISTINE H.P. HUNG
AMY C. EGLOFF
FRANKLIN J. SCHWARZER

TELEPHONE (617) 965-3500
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OF COUNSEL
HEATHER G. MERRILL
aschlesinger@sab-law.com

May 3, 2010

Setti D. Warren, Mayor
City of Newton
1000 Commonwealth Avenue
Newton MA 02459

10 JUN - 1 PM 5: 22
CITY CLERK
NEWTON, MA. 02159

Re: Parkview Homes, LLC 192 Lexington Street

Dear Mayor Warren;

I represent Parkview Homes LLC which is the developer of a 10 unit affordable housing development at 192 Lexington Street, Auburndale. Parkview Homes has received a comprehensive permit under G.L. c. 40B from the Board of Appeals for the development, has commitments for supplementary funding from Community Preservation funds, City HOME funds as well as CDBG funding and is preparing to break ground in the early summer.

A copy of the Comprehensive Permit is attached. Condition 14 a of the Comprehensive Permit requires that:

- a. The applicant shall formally tender an offer to convey to the City the 2,574 sq.ft. triangle of land in the southeastern portion of the site as shown on plan C4 dated October 19, 2009 and revised 11/18/09. Applicant shall be required to resurface the walkway and to replace the fencing on the north side of the walkway.

This letter constitutes an offer to convey the 2,574 sq. ft. parcel to the City. A copy of Plan sheet C4 referred to in the condition is attached.

There is some back story to this parcel which is that in 1969 the City offered to acquire the property from the landowner in exchange for another parcel adjacent to the landowner's property, and the Board of Aldermen approved the transaction, but the land swap was never completed. Attorney Waddick is familiar with the records from that time. The current offer is an offer for a donation and not for a swap.

SCHLESINGER AND BUCHBINDER, LLP

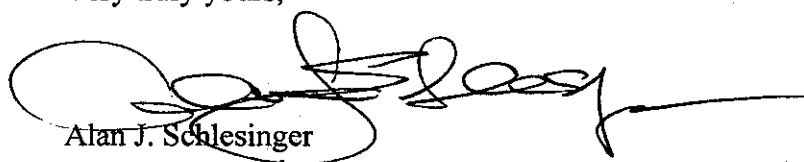
Setti D. Warren, Mayor
May 3, 2010

Page 2

This offer is conditional upon:

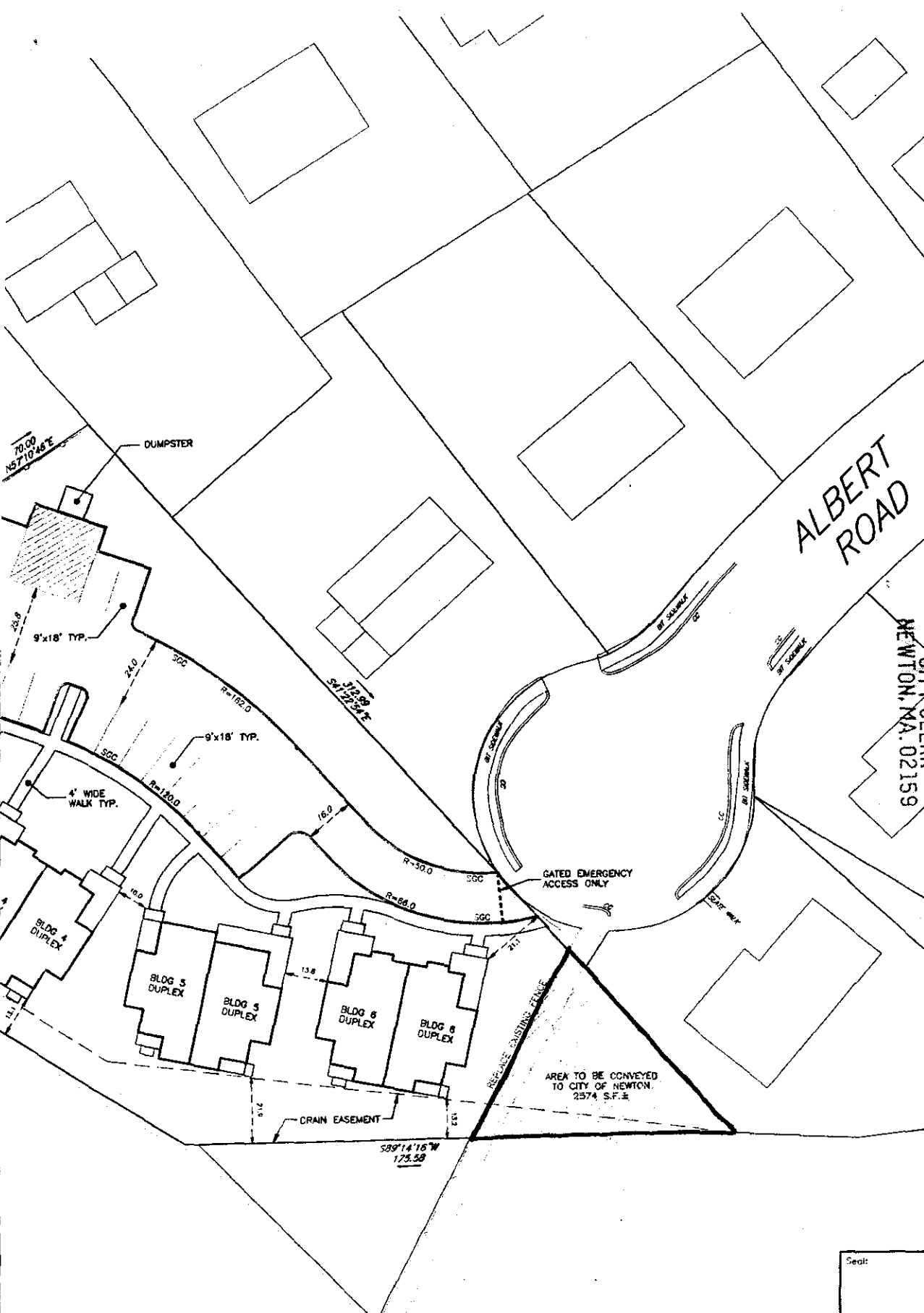
- (i) Parkview Homes LLC obtaining title to the property, for which a closing is currently scheduled on May 10, 2010; and
- (ii) Acceptance of this offer by all necessary municipal action within 180 days.

Very truly yours,



Alan J. Schlesinger

cc: Robert and Geoffrey Engler
Robert Waddick, Eileen McGettigan, City Solicitor's Office
Candace Havens Acting Director of Planning and Development



Prepared For:
#10-10(3)

Applicant:
Purveyor Homes, LLC
185 Chestnut Hill Ave.
Brighton, MA, 02135
T 617 782 2300
F 617 782 4500

Prepared By:
Hayes
Hayes Engineering, Inc.
1000 Massachusetts Ave.
Boston, MA 02118
Ph: 781 244 2800
Fax: 781 244 7808
www.hayeseng.com

Design By: xxx
Drawn By: MEM
Checked By: WRB
Project File: NEW-0028A
Comp. No: NEW18
 Issued For Permit
 Issued For Review
 Issued For Bid
 Issued For Construction
 Not For Construction

Scale: 1" = 20'

Date: October 19, 2009

11/18/09 Date

Optional Site Layout

Reason

No.

10 JUN 11 10:25 PM '09

Drawing Title:
**OPTIONAL SITE PLAN-LAYOUT
#192 LEXINGTON STREET
CHAPTER 40B COMPREHENSIVE PERMIT
NEWTON, MASS.**

Seal:

Drawing No.:
C4
SHEET 4 OF 8

Middlesex South Registry of Deeds Electronically Recorded Document

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Recording Fee	: \$75.00

**Middlesex South Registry of Deeds
Eugene C. Brune, Register
208 Cambridge Street
Cambridge, Massachusetts 02141
617/679-6310**

with Architectural Access Board standards, 521 CMR and all other applicable local, state and federal regulations governing accessibility, and the Director of the Planning and Development Department.

13. Prior to the issuance of a building permit the applicant should submit to the Director of Planning and Development for review and approval:
- a. a revised site plan addressing all accessibility concerns;
 - b. a photometric plan with specifications of the lighting fixtures and lamps;
 - c. a revised landscape plan;
 - d. any fencing details, including screening of the dumpster;
 - e. all final elevations, proposed façade materials and colors, and proposed roof materials and colors;
 - f. all proposed signage;
 - g. a memo from the City Engineer approving final engineering plans and details as consistent with all of the conditions outlined in Engineering memorandum dated November 20, 2009;
 - h. a construction management plan;
 - i. evidence of compliance with all conditions listed in the DHCD letter of Determination of Site Eligibility dated June 23, 2009;
 - j. evidence of recordation of a certified copy of this Decision with the Registry of Deeds for the Southern District of Middlesex County.
 - k. Evidence of filing of a copy of such recorded Decision with the City Clerk, the Clerk of the Zoning Board of Appeals, and the Department of Planning and Development.
14. That no building or structure, or portion thereof subject to this Comprehensive Permit shall be occupied nor shall any Certificate of Occupancy issue until:
- a. The applicant shall formally tender an offer to convey to the City the 2,574 sq. ft. triangle of land in the southeastern portion of the site as shown on plan C4 dated October 19, 2009 and revised 11/18/09. Applicant shall be required to resurface the walkway and to replace the fencing on the north side of the walkway.
 - b. The applicant shall have filed with the Director of Planning and Development evidence of compliance with all conditions listed in the McPhail Associated, Inc. report dated October 8, 2009;
 - c. The applicant shall have filed with the City Clerk, the Department of Inspectional Services and the Department of Planning and Development a statement by a registered architect and engineer certifying that the site and buildings have been constructed consistent with plans submitted to the Board and on file with the Clerk of the Zoning Board of Appeals.



City Clerk of Newton, Mass.



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



NEWTON
Parks & Recreation

ROBERT J. DERUBEIS
INTERIM
COMMISSIONER

30 MAY 14 PM 4:45
CITY CLERK
NEWTON, MA 02159

May 14, 2010

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

Dear Ladies & Gentlemen:

To aid in the facilitation of your discussion with respect to the Off-Leash Ordinance, I have attached a comparative sheet for Section 3-30 Dogs Off-Leash Program of the City of Newton Ordinance that illustrates the current text, the proposed text of the revised ordinance along with a description of the proposed changes, as well as the rationale behind the changes.

As a brief synopsis, the revised ordinance has placed the task of selecting off-leash sites under the jurisdiction of the Commissioner of Parks & Recreation and the Director of Planning & Development, rather than with a number of different municipal agencies. Once sites have been selected, subject to the established site selection criteria, it allows the Commissioner of Parks & Recreation to designate those sites as off-leash areas. If those sites are non-recreation sites, the Commissioner will need to secure permission of the appropriate agency or commission prior to designating the site as an off-leash area.

Operation and maintenance of such non-recreation sites may be delegated to the Commissioner of Parks & Recreation by the appropriate agency or commission. Revocation of an off-leash area is at the discretion of the Commissioner of Parks & Recreation or by the agency or commission having such control over the land. The Commissioner of Parks & Recreation may also develop rules and regulations for the operation of off-leash sites as well as impose time, seasonal and other restrictions on such sites.

The existing ordinance makes reference to an advisory committee (DOLAC) that has been charged with assisting in the decision making process in identifying, evaluating, recommending and establishing off-leash areas. The revised ordinance eliminates this body. Having worked with a very dedicated group of people as part of both DOLAC and the Off Leash Advisory Working Group, it is my strong recommendation to keep OLAWG intact to continue with the process of identifying future sites as well as consulting with them on issues, policies and procedures surrounding future existing off-leash sites.

Thank you for your time and effort in this matter.

Sincerely,

Robert J. DeRubeis
Interim Commissioner

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WARD 2 - ARTHUR MAGNI, CHAIRMAN
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WWW.CI.NEWTON.MA.US/PARKS

Sec. 3-30 Dog off-Leash Program

Changes noted in highlighted text

Current text	Proposed text	Description of and Rationale for Proposed Changes
	Delete the provisions of Sec. 3-30 Dogs Off-Leash Pilot Program in its entirety and insert in its place the following section:	
(a) Notwithstanding the provisions of Sec. 3-26(a) Restraint of Dogs, in areas officially designated as "Designated Off -Leash Area" by a municipal agency with care, custody and control of public land, a dog may be permitted off-leash under the following minimum conditions, and subject to any other rules and regulations or time restrictions established from time to time by such agency.	(a) Notwithstanding the provisions of Sec. 3-26(a) Restraint of Dogs, in areas officially designated as a "Designated Off -Leash Area" by the commissioner of parks and recreation, a dog may be permitted off-leash under the following minimum conditions, and subject to any additional rules, regulations, and restrictions that may from time to time be in effect for an off-leash area.	Rather than municipal agency with control of the public land designating off leash areas, those areas are to be designated by the commissioner of parks and recreation. Control of non-recreation land would have to be granted to the commissioner of parks and recreation.
(1) The dog shall at all times be accompanied by and under the control of a person, who shall ensure that the animal does not disturb the surrounding area by excessive barking, and shall ensure that it does not disturb or threaten other dogs or persons using the designated off-leash area or surrounding area; the dog shall be leashed when entering and exiting the designated off-leash area.	(1) The dog shall at all times be accompanied by and under the control of a person, who shall ensure that the animal does not disturb the surrounding area by excessive barking, and shall ensure that it does not disturb or threaten other dogs or persons using the designated off-leash area or surrounding area;	
(2) Any dog left unattended is subject to impoundment by the Newton police;	(2) The dog shall be leashed prior to entering and upon exiting the designated off-leash area.	previously part of a1
(3) The person in charge of a dog inside a designated off-leash area shall, in accordance with Section 3-29, immediately remove and as soon as practicable properly dispose of any fecal waste deposited by that dog.	(3) Any dog left unattended is subject to impoundment by the Newton police;	previously a2
(4) The dog shall wear a collar with identification at all times, be licensed and vaccinated, healthy and parasite free. Dogs must be at least four months old to be allowed off-leash.	(4) The person in charge of a dog inside a designated off-leash area shall, in accordance with Section 3-29, immediately remove and as soon as practicable properly dispose of any fecal waste deposited by that dog.	previously a3

Sec. 3-30 Dog off-Leash Program

Current Text	Proposed text	Description of and Rationale for Proposed Changes
(5) The number of dogs per person in a designated off-leash area is limited to three. The person in charge of a dog or dogs must at all times carry a leash for each dog under that person's supervision.	(5) The dog shall wear a collar with identification at all times, be licensed and vaccinated, healthy and parasite free.	previously a4
(6) The dog owner and/or person in charge of a dog are responsible to ensure that the dog's activity conforms to all rules and regulations pertaining to the off-leash area, as well as for any injury or damage to public property caused by the dog.	(6) Dogs must be at least four months old to be allowed off-leash.	previously a4
(7) No person shall bring a female dog in heat into any designated off-leash area.	(7) The number of off-leash dogs per person in a designated off-leash area is limited to three, unless otherwise specified in the rules and regulations pertaining to a particular off-leash area.	Previously a5. Change in language: The change from original text to proposed is from the number of dogs in an off-leash area to the number of off-leash in a designated off leash area. Rationale is that individual could be in off-leash area with more than three dogs, as long as only three dogs are off-leash at one time.
(8) Any dog which is the subject of a complaint, investigation, order or proceeding under Section 3-25 or Section 3-27 of this ordinance, and/or under General Laws Chapter 140, section 157 shall be banned from designated off-leash areas.	(8) The person in charge of a dog or dogs must at all times carry a leash for each dog under that person's supervision.	previously a5
	9) The dog owner and/or person in charge of a dog are responsible to ensure that the dog's activity conforms to all rules and regulations pertaining to the off-leash area, as well as for any injury to persons or animals, or damage to public or private property caused by the dog.	previously a6
	(10) No person shall bring a female dog in heat into any designated off-leash area.	previously a7
	(11) Any dog which is the subject of a complaint, investigation, order or proceeding pursuant to Section 3-25 or Section 3-27 of this ordinance, and/or under General Laws Chapter 140, section 157 shall be banned from designated off-leash areas.	
(b) Sites for Designated Off-Leash Areas.	(b) Selection and Designation of Sites for Off-Leash Areas.	
Current text	Proposed text	Description of and Rationale for Proposed Changes

Sec. 3-30 Dog off-Leash Program

<p>(1) A municipal agency with care, custody and control of public land, may from time to time designate one or more specific areas on such land to be designated off-leash areas. Such custodial agency may from time to time establish rules and regulations for use of each such area, which shall be posted at the site. With respect to this section, such agency shall have sole authority over land subject to its care custody and control, may limit the number of designated areas, and may revoke a designation at any time. Notwithstanding anything to the contrary contained herein or hereafter, the following areas shall not be designated under any circumstances as designated off-leash areas by the agency having care, custody, and control thereof: the little league baseball fields on (i) Lyons Playground; (ii) James E. Murphy Field at the Halloran Sports Complex; (iii) Leo H. Riley Field at Cabot Park; (iv) Jay Gordon Field at Newton Centre Playground; and (v) Richardson Field.</p>	<p>(1) The commissioner of parks and recreation, together with the director of planning and development, shall establish site selection criteria for the identification of appropriate sites for dogs off-leash areas on public land under owned by the city, and shall identify sites for potential designation. For any particular potential site, the commissioner and director may recommend additional criteria for designation of that particular site, such as need for fencing, where they deem appropriate.</p>	<p>Rather than having a number of municipal agencies making recommendations for proposed off-leash sites, it is under the jurisdiction of the commissioner of parks and recreation and the director of planning and development.</p>
	<p>(2) Subject to the established site selection criteria, the commissioner of parks and recreation may designate specific off-leash areas on public land under the control of the city. If the identified area is under the jurisdiction of a municipal agency or commission other than the parks and recreation department, the commissioner shall obtain permission of that agency or commission prior to such designation. An agency or commission granting such permission may designate operation and maintenance of the off-leash area to the commissioner of parks and recreation.</p>	<p>Gives the commissioner of parks and recreation the authority to designate recreation and non-recreation sites throughout the city as off-leash areas. Commissioner needs permission for non-recreation sites.</p>
	<p>(3) A designation of any off-leash area may be revoked at any time by the commissioner or by the municipal agency or commission with jurisdiction of the off-leash area.</p>	<p>Revocation of recreation sites by commissioner of parks and recreation, non-recreation sites by agency in charge of such site.</p>
	<p>(4) Notwithstanding anything to the contrary contained herein or hereafter, the following areas shall not be designated under any circumstances as designated off-leash areas: the little league baseball fields on (i) Lyons Playground; (ii) James E. Murphy Field at the Halloran Sports Complex; (iii) Leo H. Riley Field at Cabot Park; (iv) Jay Gordon Field at Newton Centre Playground; and (v) Richardson Field.</p>	<p>Same language from original ordinance that prohibits off-leash areas on enclosed (Major League) Little League fields.</p>

Sec. 3-30 Dog off-Leash Program

Current text	Proposed text	Description of and Rationale for Proposed Changes
<p>(C) Dogs Off-Leash Advisory Committee.</p> <p>(1) To assist a custodial agency in its decisions, there shall be formed a dogs off-leash advisory committee, under the auspices of the department of planning and development. The advisory committee shall consist of one alderman; one representative from the parks and recreation department, nominated by the parks and recreation commission; one representative from the conservation commission, nominated by that commission; an animal control officer of the city of Newton, ex officio; and four citizens of Newton to be appointed by the board of aldermen. To insure an orderly transition, current citizen members of the existing off-leash task force shall be asked to serve as the initial citizen appointees of the dogs off-leash advisory committee for a term not to exceed one year, unless further appointed.</p>	<p>(C) Rules and Regulations</p> <p>In addition to the minimum conditions listed in section (a) applicable to all designated off-leash areas, the commissioner may from time to time promulgate rules and regulations for the general operation and use of all off-leash areas, as well as rules and regulations specific to the use and operation of an individual site. The commissioner may impose time, seasonal, or other restrictions for the use of any area. In the case of off-leash areas on sites under the jurisdiction of another agency or commission, that agency or commission shall approve such rules, regulations and restrictions, and may make such additional rules, regulations, and restrictions it deems necessary.</p>	<p>Elimination of Dogs Off Leash Advisory Committee (DOLAC), responsibilities to fall under the commissioner of parks and recreation.</p>
<p>(2) The advisory committee shall develop and recommend site selection criteria to custodial agencies and shall from time to time recommend to the appropriate custodial agency a site or sites which said agency may consider for designation as official off-leash areas. The advisory committee shall consider only those proposed sites for which a local resident group will sponsor the site; will designate a person to serve as liaison with the city; will agree to mitigate dog-related impact on the site; and will agree to such other terms and conditions as the advisory committee and the custodial agency may deem appropriate for that site. The custodial agency with control over such site shall take such steps as it deems appropriate to notify and to solicit the opinions and suggestions of abutters and other neighborhood residents prior to designation.</p>	<p>(d) Signs - All conditions, rules and regulations, and other restrictions applicable to a designated off-leash area, as well as the boundaries of such area, shall be conspicuously posted.</p>	<p>Elimination of duties and responsibilities of Dogs Off Leash Advisory Committee (DOLAC). New ordinance language deals with signage at off-leash sites.</p>
<p>(3) The advisory committee shall recommend to the custodial agency rules, regulations and time restrictions to be established for each off-leash area, and may at any time recommend that the agency revise said rules, regulations or time restrictions for any or all designated off-leash areas.</p>	<p>(e) Penalties: The owner and/or the person in charge of a dog in a designated off-leash area who fails to control said dog or who violates any of the rules, regulations or restrictions pertaining to the designated off-leash area shall be subject to a fine of fifty dollars (\$50.00) for each offense.</p>	<p>Elimination of duties and responsibilities of Dogs Off Leash Advisory Committee (DOLAC). New ordinance language deals with fines associated with dogs being off-leash outside the designated area.</p>

Sec. 3-30 Dog off-Leash Program

Current text	Proposed text	Description of and Rationale for Proposed Changes
(4) The advisory committee shall monitor and evaluate the dogs off-leash program and shall report to the custodial agency on a regular basis, but no less than twice a year. The advisory committee may recommend additional sites for designation, and may recommend that designation for a particular site or sites be revoked.		Elimination of duties and responsibilities of Dogs Off Leash Advisory Committee (DOLAC).
(5) The advisory committee shall establish a procedure for receiving and logging comments and complaints pertaining to activities in designated off-leash areas. The log shall be made available to the custodial agency and the board of aldermen on an ongoing basis. The advisory committee shall consider comments and complaints received in order to assist in its evaluation of off-leash areas and in the reports required by Section 3-30(c)(3) and Section 3-30 (e).		Elimination of duties and responsibilities of Dogs Off Leash Advisory Committee (DOLAC).
(6) The advisory committee may appoint interested residents to assist, as it may deem appropriate, in its review of off-leash sites and other tasks as assigned by the committee		Elimination of duties and responsibilities of Dogs Off Leash Advisory Committee (DOLAC).
(d) Penalties: The owner and/or the person in charge of a dog in a designated off-leash area who fails to control said dog or who violates any of the rules, regulations or time restrictions pertaining to the designated off-leash area shall be subject to the penalties set forth in Sec. 3-26 (b).		The language in the old text dealing with penalties is discussed in Section a) of the new text. It is more general and deals with Sec. 3-26(a) of the Newton Ordinance rather than just specifying the penalties.
(e) The provisions of this section will expire on June 30, 2010 unless terminated earlier, or unless renewed or revised by the board of aldermen. Six months prior to expiration, the advisory committee shall report and make ordinance should be terminated, renewed in its present form, or revised. (Ord. No. Z-11, 12-03-07; Ord. No Z-54, 11-02-09)		Deals with temporary nature of current ordinance. Permanent nature of proposed ordinance eliminates need for clause.

Summary

- Transparency: established OLAWG web page on City Website to post information: <http://www.ci.newton.ma.us/Parks/DogInformation/index.htm>
- OLAWG Meetings - weekly in Room 222 at City Hall at 9:00 a.m.
- Posted Dog Owner Survey on web page
- Developed process:
 - Phase 1- Determine potential green space areas for use as off leash recreation areas.
 - Phase 2 – Determine what is required to make the green space area viable as an off leash recreation area
- Established 13 criteria to evaluate green space areas (based on national standards)
- Identified 76 green space areas throughout the city
- Using the criteria, 34 green space areas eliminated from the initial site evaluations
- Group members conducted site visits of the 42 remaining green space areas using the criteria
- Recommending 24 green space areas for Phase 2 review

Criteria used for Evaluating Green Space Areas

1. **ADA Compliance**—For off-leash areas that require new construction, assure availability of handicapped access parking and an ADA compliant route into the park, in compliance with the Americans with Disabilities Act of 1990. The goal is to have accessible off-leash areas to the maximum extent feasible.
2. **Aesthetic Impact**—Due consideration should be given to the visual impact that an off-leash area might have on the character of a park (e.g., fences, signs, etc.).
3. **Conservation Impact**—Due consideration should be given to the impact that an off-leash area might have on wildlife, habitats, and plants in the proposed and surrounding areas, with special consideration given to possible negative impact on environmentally sensitive areas.
4. **Consideration of Abutters**—Due consideration should be given to the potential impact on abutters to the off-leash site, for things like noise, parking, waste removal, and access to the park.
5. **Cost**—Due consideration should be given to the amount of funding (if any) that might be needed or available to create an off-leash area.
6. **Current Off-Leash Status**—The question of whether a site is already being used for off-leash activity should be noted. If it is not already being used, potential barriers to the creation of off-leash space should be identified and considered. If it is already being used, any problems related to current off-leash activity should be identified and the potential impact of increased usage should be determined.
7. **Distribution of Parks**—Due consideration should be given to the distribution of off-leash areas throughout the city, so that their impact on any single neighborhood can be mitigated and relatively close access to off-leash areas can be afforded to those who wish to use them.
8. **Enforcement**—Due consideration should be given to whether a proposed off-leash area will facilitate the Newton Animal Control in their responsibilities to oversee both off-leash and non-off-leash areas, and whether a proposed site would create any special enforcement issues.
9. **Impact on Other Usage**—Due consideration should be given to the potential impact that an off-leash area might have on other activities in adjacent or shared space.
10. **Park Access**—Due consideration should be given as to how dog owners will reach the off-leash area and how maintenance (such as emptying waste receptacles) will be conducted.
11. **Parking**—Consideration must be given to the availability of adequate and appropriate parking, based on anticipated usage.
12. **Site Characteristics**—Due consideration should be given to the topography of a potential site. For example, drainage, slope, the absence of ticks, the presence of trees or bushes as a natural buffer or for shade, etc., should be considered. Where fencing is proposed, the presence of an existing fence is a plus.
13. **Size**—An off-leash area should be of adequate size for its intended use.

24 Green Space Areas for Phase 2 Evaluation

	Ward	Area		Ward	Area
1	1	Forte Park	13	4 Consv	Norumbega
2	1	Hunnewell Playground	14	5	Old Cold Spring Park
3	1	Walnut Park	15	5	Braceland Playground
4	2	Halloran Sports Complex	16	5	Richardson Playground
5	2	Clafin Playground	17	6	Newton Centre
6	2	Cabot Park	18	6	Newton Highlands Playground (Whitmore)
7	2	Edmands Park	19	6	Thompsonville Playground
8	3	McGrath Park	20	6	Weeks Park
9	3	West Newton Commons	21	7	Burr Park
10	4	Auburndale Cove	22	8	Brown & Oak Middle Sch Playground
11	4 Consv	Flowed Meadow	23	8	NSHS - area near tennis courts only
12	4	Hamilton Playground	24	8	Nahanton Park



Memorandum

To: The Programs & Services Committee
From: Ald. Brian Yates
Re: Proposed Amendments to Draft Dog Park Ordinance
Date: May 5, 2010

AMENDMENT 1: Purpose is to allow consideration of sites owned by the Mass Department of Conservation and Recreation and other non-municipal public agencies.

Text: In the first sentence of Section 3-30 (b) (1), delete the words “under owned by the city”.

In the first sentence of (b) (2), delete the words “under the control of the city”.

In the second sentence, delete the word “municipal”.

AMENDMENT 2: Purpose is to make a correction.

Text: In the last sentence of (b) (2), change “designate” to “delegate”.

AMENDMENT 3: Purpose is to treat all ball fields the same.

Text: In Section (b) (4), insert the words “and softball” between “baseball” and “fields”.

Move “and” to after “Richardson Field” and add after it “(vi) Robert Braceland Playground in Upper Falls.”

AMENDMENT 4: Purpose is to clarify when fencing is necessary.

Text: In second sentence of (b) (1), replace “they deem appropriate” with “it is necessary to confine the dogs to the unleashed area.”

AMENDMENT 5: Purpose is to spell out that unleashed dogs shall be confined to unleashed areas.

Text: Add to section (a) “(12) the topography and natural or manmade barriers, or new fencing on the site will keep dogs confined to the unleashed area.”



May 17, 2010

DRAFT

Resolution #3

The Honorable Setti Warren
Executive Department
City of Newton
1000 Commonwealth Avenue
Newton, Massachusetts 02459

Dear Mr. Mayor:

It has become evident to the Board of Aldermen, sitting as a Committee of the Whole in review of the FY' 2011 budget, that the elimination of the Director of Human and Volunteer Services position, formerly staffed by Bev Droz, has caused significant re-distribution of various duties among numerous departments.

The Board will pay particular attention to how these duties are fulfilled over the course of the next fiscal year. It is our expectation that the level of competence and commitment previously provided by Ms. Droz in serving our city is not diminished by the elimination of her position. We ask that consideration be given to reinstating the position and its former incumbent should we find it required to maintain the level of service and commitment we have enjoyed with Bev Droz.

In the meantime, through you, we want to express our heartfelt appreciation for the dedicated service provided by Ms. Droz during the course of her tenure as Director.

Sincerely submitted,

On behalf of the Board of Alderman

Scott Lennon
President