

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, FEBRUARY 20, 2008

7:45 - Room 222

8:00 - Room 209

Chairman's Note: The Programs and Services Committee will meet jointly with the Public Facilities Committee to discuss item #55-08 and also with the Public Safety and Transportation Committee to discuss item #41-08 at 8:00 in Room 209

Appointment by His Honor the Mayor

#68-08 JEANNE STOLBACH, 38 Morseland Avenue, Newton Centre, appointed as a member of the Newton Council on Aging for a term to expire January 31, 2011. (4-19-08) [02-07-08 @3:20 PM]

Re-appointment by His Honor the Mayor

#69-08 FRANCIS RICE, 2360 Commonwealth Avenue, Auburndale, re-appointed as a full member of the Newton Parks and Recreation Commission. (4-19-08) [02-07-08 @3:20 PM]

Re-appointment by His Honor the Mayor

#70-08 ARTHUR MAGNI, 107 Mt. Vernon Street, West Newton re-appointed as a member of the Newton Parks and Recreation Commission. (4-19-08) [02-07-08 @3:20 PM]

Re-appointment by His Honor the Mayor

#71-08 JENNIE DeVITO, 26 Rustic St., Nonantum, re-appointed as a member of the Newton Parks & Recreation Commission. (4-19-08) [02-07-08 @3:21 PM]

Re-appointment by His Honor the Mayor

#72-08 LISA DeFELICE, 280 Nevada St., Newtonville, re-appointed as a member of the Newton Child Care Commission for a term to expire on January 1, 2010. (4-19-08) [02-07-08 @3:21 PM]

Re-appointment by His Honor the Mayor

#73-08 BARBARA SULLIVAN, 89 Arlington Street, Newton, re-appointed as a member of the Newton Child Care Commission for a term to expire January 1, 2010. (4-19-08) [02-07-08 @3:21 PM]

Re-appointment by His Honor the Mayor

#74-08 PETER BROWN, 79 Washington Street, Newton, re-appointed as a Commissioner of the Human Rights Commission for a term to expire on February 1, 2011. (4-19-08) [02-05-08 @3:32 PM]

Re-appointment by His Honor the Mayor

#75-08 JANE O'HERN, 472 Walnut Street, Newtonville, re-appointed as a full Trustee of the Newton History Museum at the Jackson Homestead for a term to expire on February 1, 2011. (4-19-08) [02-07-08 @3:20 PM]

Re-appointment by His Honor the Mayor

#76-08 RUSSELL FELDMAN, 85 Langley Road, Newton Centre, re-appointed as a Trustee of the Newton History Museum at the Jackson Homestead for a term to expire on February 1, 2011 (4-19-08) [02-07-08 @3:30 PM]

#77-08 ALD. JOHNSON on behalf of the Green Decade Coalition requesting the designation of March 2008 as Alternative to Pesticide Month [02-06-08 @11:25 PM]

REFERRED TO PROGRAMS & SERVICES, PUBLIC FACILITIES AND FINANCE COMMITTEES

#55-08 ALD. SANGIOLO, HARNEY AND PARKER proposing that the Board of Aldermen request the assistance of the Massachusetts School Building Authority (MSBA) and State Treasurer Tim Cahill in managing the Newton North High School construction project, including assistance with controlling project costs. [01-22-08 @ 11:05 PM]

REFERRED TO PROGRAMS & SERVICES, PUBLIC SAFETY & TRANSPORTATION & PUBLIC FACILITIES COMMITTEES

#41-08 ALD. LENNON, JOHNSON, BRANDEL seeking the establishment of a formal working group consisting of representatives from the Board of Aldermen, the DPW, Parks & Recreation, Police Department, (and any other entity it deems relevant) that will meet within a reasonable timeframe after each snow event to discuss snow clearing activities; to identify problematic areas city-wide and how they were addressed and will be addressed in the future; and, to address broader snow-related policy issues, to provide information to the Board of Aldermen relative to potential ordinances re snow clearing, e.g., mandatory sidewalk shoveling. [1-29-08 @7:04 PM]

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

REFERRED TO PROG&SERV, PUB FACILITIES & FINANCE COMMITTEES

- #85-08 DANIEL PROSKAUER et al. filing on February 7, 2008 a group petition pursuant to Section 10-2 of the City Charter for a public hearing re the cost of construction of Newton North High School, specifically to request that the Board of Aldermen establish a Guaranteed Maximum Price for the said project prior to installation of foundations and establish a maximum cost of construction of the project that in the opinion of the Board of Aldermen the City can afford without sacrificing the repair and construction of other public buildings that for the purposes of selecting a specific architectural design for the building of a new Newton North High School the city will establish a state-wide open architectural competition in accordance with the American Institute of Architects guidelines. ***NB: Board action shall be taken not later than three months from the date the petition was filed.***

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #86-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$21,214 from Wage Reserve to the Library salaries account to fund a full-time Web Specialist position (money was set aside in the Wage Reserve fund for funding of this position during FY08 budget review). [02-12-08 @ 6:20 PM]

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #87-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$158,344 from Free Cash in order to supplement funding in the snow and ice control accounts for the Parks and Recreation Department. Any funds unspent will not be transferred to other accounts. [02-12-08 @ 6:20 PM]

REFERRED TO PROG. & SERV., AND FINANCE COMMITTEES

- #88-08 ALD. BRANDEL, SANGIOLO AND PARKER proposing that the following question be put before Newton voters in accordance with the procedure prescribed by G.L. c. 59 §21C(g):
 “Shall the City of Newton be allowed to assess an additional Ten Million Dollars in real estate and property tax for the purpose of funding operational expenses?”
 [02-12-08 @ 11:13 AM]

REFERRED TO PROG. & SERV. AND FINANCE COMMITTEES

- #88-08(2) ALD. BRANDEL, SANGIOLO AND PARKER proposing that the following question be put before 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 certain capital projects?”
 [02-12-08 @ 11:13 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]

REFERRED TO LAND USE & PROGRAMS & SERVICES COMMITTEES

- #37-08 ALD. BAKER, MANSFIELD & FISCHMAN proposing a revision to the Rules & Orders of the Board to allow Land Use Committee public hearings to be held on more than one night per month.
- LAND USE APPROVED 7-0 on 02-12-08**

REFERRED TO LAND USE & PROGRAMS AND SERVICES COMMITTEES

- #274-07 ALD. SANGIOLO proposing that Article X of the Rules & Orders of the Board relative to Special Permit and Site Plan Approval Petitions be amended to require the applicant to post on the subject property a notice that would include but not be limited to identifying the subject matter and the date and time of the public hearing.
- LAND USE APPROVED 7-0 on 02-12-08**

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #57-08 HIS HONOR THE MAYOR requesting to present the following levy limit override ballot question to the voters in accordance with the procedure prescribed by G.L. c. 59 §21C(g):
- Shall the City of Newton be allowed to assess an additional \$23,900,000 in real estate and personal property taxes for the purpose of funding operating expenses for the Public Schools and the Municipal Government for the fiscal year beginning July 1, 2008. [01-29-08 @ 6:12]
- #40-08 HIS HONOR THE MAYOR requesting that the Board of Aldermen call a special election to present the levy limit override ballot question to the voters. [01-29-08 @ 6:12]

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#58-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$88,000 from Budget Reserve for the purpose of funding the costs of a special election to present the levy limit override ballot question to the voters. [01-29-08 @ 6:12]

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#23-08(2) ALD. COLETTI requesting that a non-binding ballot question regarding the city's expenditure of over \$185 million in bond appropriations to construct a new Newton North High School be placed on the proposed override ballot for voter reaction in Spring of 2008. [01-15-08 @ 11:15 AM]

REFERRED TO PROGAMS AND SERVICES AND FINANCE COMMITTEES

#36-07 ALD. JOHNSON, LINSKY, VANCE, SANGIOLO, HESS-MAHAN, ALBRIGHT, FISCHMAN, MANSFIELD, LIPOF, LAPPIN, BURG, PARKER, & DANBERG proposing the use of general overrides and/or debt exclusions of Proposition 2 ½ limits in addition to other revenue enhancing or cost saving measures as proposed by the *Blue Ribbon Commission* to close the gap between revenue and expenses and enhance the City's ability to invest in annual capital maintenance requirements. [02-13-07 @ 8:57 AM]

#422-06 ALD. HESS-MAHAN requesting creation of an ordinance prohibiting the use of portable gasoline-powered leaf blowers within the City limits.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#29-08 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$100,000 from Budget Reserve for the purpose of supplementing the law Department legal assistance account for legal services for collective bargaining, labor disputes and arbitrations. [01-15-08 @ 5:20 PM]

#7-08 ALD. ALBRIGHT requesting to create a task force whose members will be jointly appointed by the Mayor and the Board of Aldermen to investigate the creation of a Commission on Public Art. The job of the Commission would be to raise funds, solicit commissions, and select public art for villages and/or parks. [12-18-07 @ 12:48 PM]

#329-05 ALD. JOHNSON & ALD. ALBRIGHT requesting that the **Noise Ordinance** be revised and updated to better reflect the noise problem being faced by the City.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #397-07 ALD. JOHNSON AND COLETTI requesting to increase the fee for dogs being off-leash except where dogs are legally able to be off-leash.
[12-04-07 @ 12:22 AM]
HELD 6-0 1/23/08

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #358-07 HIS HONOR THE MAYOR submitting the FY09-FY13 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter which requires Board of Aldermen approval of a plan to finance \$194,907,647 of new local projects over the next several years:

SUMMARY

PUBLIC WORKS (CITY AND GRANT/FEE FUNDED)	\$ 67,632,500
PUBLIC SAFETY	\$ 6,230,535
PUBLIC BUILDINGS	\$ 16,772,295
SCHOOL DEPARTMENT	\$ 94,259,767
PARKS AND RECREATION	\$ 7,366,000
OTHER	\$ 2,646,546
 TOTAL	 \$194,907,647

- #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]

- #130-07 ALD. LENNON proposing amendments to Section 20-56, **Musical performers; regulations; license.**

- #114-07 ALD. LINSKY requesting to evaluate whether the present location of the Johnny Kelley statue represents the best possible location for achieving the established purpose when it was erected. [04-10-07 @ 7:39 PM]

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #86-07 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$2,300,000 from bonded indebtedness for the purpose of funding the construction of a new synthetic turf recreation complex at Newton South High School. [03-13-07 @ 7:04 PM]
FINANCE VOTED NO ACTION NECESSARY ON 10-22-07

**REFERRED TO PROGRAMS AND SERVICES, PUBLIC FACILITIES,
AND FINANCE COMMITTEES**

- #276-06(2) HIS HONOR THE MAYOR requesting an appropriation in the amount of \$1,800,000 from bonded indebtedness for the purpose of funding the construction of a new synthetic turf recreation complex at Newton South High School.
FINANCE VOTED NO ACTION NECESSARY ON 10-22-07

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #83-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to adopt the proportion of Governors Municipal Partnership that would allow the City to reduce employee health insurance costs by joining the Group Insurance Commission. [02-27-07 @ 10:21 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]
- #370-06 ALD. SANGIOLO, PARKER, MANSFIELD requesting home rule legislation to allow advisory questions to be asked in a Newton special election.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #267-06(3) ALD. PARKER, BURG, LINSKY, FISCHMAN, HESS-MAHAN, VANCE, HARNEY, JOHNSON, & DANBERG proposing Home Rule Legislation authorizing the City of Newton to apply the ordinance proposed in item #267-06(2) to assets held by the City's retirement system.

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.
- #109-06 ALD. PARKER proposing charter amendments to improve the operation and accountability of City government.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

- #246-03(3) ALD. JOHNSON AND BAKER requesting update on the work of the Taxation Aid Committee established by the Board of Aldermen in March 2004 in administering aid to the elderly taxation fund.

**REFERRED TO PROGRAMS AND SERVICES, PUBLIC FACILITIES
AND FINANCE COMMITTEES**

- #309-01 ALD. PARKER requesting increase in the income eligibility level of the 30% water/sewer discount for low-income senior citizens.
- #346-99 ALD. SANGIOLO requesting creation of an ordinance that would prohibit dogs (leashed or unleashed) from all elementary school playgrounds.

Respectfully Submitted,

Marcia Johnson, Chairman

CITY OF NEWTON

IN BOARD OF ALDERMEN

February XX, 2008

RESOLUTION

- WHEREAS, pesticides are toxic by design; and
- WHEREAS in addition to their intended effect on pests, pesticides also harm non-target organisms such as humans, pets, beneficial insects, plants, fish, birds, and other wildlife; and
- WHEREAS, the ingredients in pesticide products, alone and in combination, have long-term toxic effects on the brain and nervous system, the endocrine system, and the immune system; and
- WHEREAS, exposure to pesticides is particularly harmful to children and their development; and
- WHEREAS, there are safer more cost-effective and ecologically-sound ways to control pests in our landscapes and buildings; and
- WHEREAS, it is in the best interest of the City of Newton and its residents to protect the quality of our buildings and landscapes while reducing threats to our health and the contamination of the environment; and
- WHEREAS, the City of Newton recognizes that public agencies should be a model of environmentally safe practices and that an Integrated Pest Management (IPM) policy for our public buildings and grounds enables the city to accrue the financial benefits of planning, prevention, and responsible management.

NOW THEREFORE BE IT RESOLVED:

That His Honor the Mayor and Members of the Honorable Board of Aldermen of the City of Newton do hereby endorse March 2008 as ALTERNATIVES TO PESTICIDES MONTH.

AND FURTHERMORE BE IT RESOLVED:

We urge citizens to follow the City's leadership, to adopt the environmental practices that eliminate pests and avoid pesticides in their homes, gardens, lawns, businesses, workplaces, places of worship, and schools throughout our community.