

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, APRIL 23, 2008

Present: Ald. Johnson (Chairman), Freedman (Vice Chairman), Hess-Mahan, Baker, Merrill, Parker, Brandel; Absent: Ald. Sangiolo

Others Present: David Olson (Clerk of the Board/City Clerk), Karyn Dean (Committee Clerk)

Appointment by His Honor the Mayor

#152-08 NORMAN RICHARDSON, 372 Waltham Street, West Newton, appointed as a member of the Newton Commonwealth Golf Course Foundation for a term to expire on April 30, 2011. (06-21-08) [4-11-08 @ 9:41 AM]

ACTION: **APPROVED 4-0 (Ald. Parker, Freedman, Brandel not voting)**

NOTE: Mr. Richardson said the Conservation Commission had long term management plans for all the golf courses. Each course had its own and he had some ideas about ways to obviate them. Ald. Johnson commended Mr. Richardson for the good work he has done on the Conservation Commission and the Dogs Off Leash task force. Ald. Baker moved approval of this.

Re-Appointment by His Honor the Mayor

#126-08 JEFFREY W. SACKS, 45 Old Colony Road, Chestnut Hill, re-appointed as a member of the Newton Housing Authority for a term to expire on March 31, 2013. (06-07-08) [03-12-08 @ 2:29 PM]

ACTION: **APPROVED 5-0-1 (Ald. Brandel abstaining; Ald. Parker not voting)**

NOTE: Mr. Sacks said the Newton Housing Authority has been creating new financial management tools over the past 2 years. In the public housing world, he explained there were changes occurring on the federal and state levels that would help them in terms of financing. Acquiring new properties around the city was the most exciting piece they were working on right now. Most people that were served through these properties were below 30% median income. By Charter they cannot serve anyone who was not below 80% of median income. Ald. Freedman moved approval of this appointment.

Re-Appointment by His Honor the Mayor

#125-08 MARY PANAGGIO, 108A JFK Circle, Newton, re-appointed as a tenant representative member of the Newton Housing Authority Board of Commissioners for a term to expire on February 1, 2013. (06-07-08)
[03-13-08 @ 3:51 PM]

ACTION: **APPROVED 6-0 (Ald. Parker not voting)**

NOTE: Ms. Panaggio informed the Committee in advance that she would not be able to attend the meeting. She provided adequate documentation and Ald. Merrill moved approval of this appointment.

#155-08 HIS HONOR THE MAYOR requesting authorization to increase from part time (.8) to full time a Committee Clerk position in the Clerk of the Board's Office. [4-15-08 @ 6:33 PM]

ACTION: **APPROVED 6-0 (Ald. Parker not voting)**

NOTE: David Olson, Clerk of the Board, explained that he was promoting Danielle Delaney from Administrative Assistant to Committee Clerk. In this year's budget, the Committee Clerk position that was filled by Christine Owen was a .8 position. She had requested reduced hours to complete her nursing school degree and she has left to be a nurse. He would like to move Ms. Delaney into that position as a full time employee. Ms. Owen was at the top of the grading scale and Ms. Delaney will be moved in at the bottom of the grading scale producing very little difference in the amount of money. Therefore, this will not impact the budget. Mr. Olson said that the Administrative Assistant position will not be filled during this fiscal year. He had some plans for doing some other things with it in the next fiscal year. Ald. Baker moved approval.

#111-08(2) ALD. JOHNSON and PARKER requesting regularly scheduled updates and discussion each month in regard to the offering of a RESOLUTION to the Mayor, President of the Board of Aldermen, and Chair of the School Committee that they, during the budget development and review process, identify short term tactics to improve the City's operational efficiency and effectiveness. In addition, they establish a citizen advisory group to assist in planning for additional tactics and strategies to improve the City's operational efficiency and effectiveness in future fiscal years, and report progress to the Board of Aldermen, School Committee and the public before any vote is taken by the citizens of Newton for any operational override. [04-01-08 @ 11:22 AM]

ACTION: **HELD 7-0**

NOTE: Ald. Baker noted that he met with Dori Zaleznik and Mayor Cohen to begin the process so that would have something to report to the Board before the override vote on May 20. The three have received some suggestions and they needed to think about who they would like to have on the advisory group. They were still in the formative stage.

Reporting Process

Ald. Johnson mentioned that Mr. Pooler was going to go to the Mayor to get thoughts and comments and nothing had come back. Ald. Baker indicated that he was working on the second part of the resolution in terms of getting the advisory group together and that the Executive Dept. would be dealing with the first part of the resolution. Ms. Zaleznik was not in attendance. She sent a message that she was at another meeting and would be relying on Ald. Baker to give the update on their progress. Ald. Johnson said that each member of the triad should be making their own reports to the committee and not relying on Ald. Baker to speak for them all. She asked Ald. Baker to relay that to Ms. Zaleznik and the Mayor's office.

Ald. Johnson said this resolution came from other members of the Board and not the President, the School Chair and the Mayor, and she wanted to be sure Board members could have input into the process. That was why she wanted to have meetings each month to hear the progress and relate any input. She did not anticipate the Committee vetting each candidate, however, as there were issues with personal privacy. Ald. Brandel said it was his understanding that all 3 would come back with an update of a strategy and not just an update on the search for advisory group members. Ald. Baker said that it was the responsibility of the Executive Dept. to report on the short term goals, and they had not sent a representative to this meeting. Sandy Pooler had planned on coming, but he wasn't feeling well and left earlier in the day.

Ald. Johnson said she and Ald. Parker would write a memo to the Mayor and Ms. Zaleznik in regard to attending these meetings and reporting their progress. She said Ald. Baker should not be in the position to answer for all of them..

Input

Ald. Brandel felt the other Board members should have some input. Ald. Baker said he was one of the three in the Resolution who was given the responsibility to form this advisory group and he asked that the Committee trust him with this charge. Ald. Johnson wanted transparency in this process and that was why she wanted updates from the President, the School Committee Chair, and the Mayor. She felt they could not ask the people of Newton for one more cent before they did better and did it with honesty, openness and forthrightness. Her intent with this item was not to rest all responsibility with three people, but to make things better. As with the Blue Ribbon Commission, Ald. Johnson wanted a very independent advisory group to come out of this. Ald. Brandel said the public had to have faith in this group and the work they do.

Ald. Johnson wondered if Ms. Zaleznik has communicated with the School Committee regarding finding candidates for the advisory group and if she could provide a copy of that to this Committee. Ald. Johnson asked if there had been outreach to the public in terms of something in The Tab and/or on the City website. Ald. Baker said he would take that into consideration and did not want to make a commitment to that at this time as he would like to communicate with the Chair of the School Committee and the Mayor.

Ald. Parker said that the process needed to be opened up so it did not become an insular process.

Advisory Group

Ald. Brandel and Ald. Johnson suggested that they populate the advisory group with people with the following types of experience and expertise:

- Process Engineering – Macro level
- Building Maintenance - Facilities Management
- Building Construction - Legal or Practical
- City Financial Planning - Pension/Healthcare Management
- Technology
- School Management
- Business Administration
- Union/Labor

Ald. Parker set he would like to have a set of areas in which they were going to have independent groups make recommendations to the Mayor. He said these should be made available to the Board, the Mayor, and the public simultaneously. The Mayor should not be given the recommendations ahead of time for a vetting process. He felt it was a way to have positive reform in the city.

There will be an update at the Programs and Services Committee meeting on May 7th. Ald. Johnson asked that the Mayor and Dori Zaleznik be invited to provide an update. Invitations were sent to both, and Ms. Zaleznik responded that she had a previous commitment that evening. At the time of this report, there had been so response from the Executive Department.

#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]

ACTION: **HELD 6-0 (Ald. Parker not voting)**

NOTE: Ald. Albright has asked that this item be held. She would like to have it re-scheduled in the near future. Ald. Freedman moved to hold this item. Ald. Baker noted that each community has a local arts council which re-grants funds that come from the state. Ald. Freedman said it was called the Newton Cultural Council. Ald. Baker asked that Ald. Albright be made aware of this.

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

ACTION: **MOTION TO APPROVE FAILED TO CARRY 1-4-1 (Ald. Parker in favor; Ald. Brandel abstaining; Ald. Merrill not voting)**

NOTE: Ald. Parker provided a list of proposed amendments that was attached to the agenda and further material that was handed out at the meeting. The list of proposed amendments is attached to this report for reference. Because this list was proposed 2 years ago, Ald. Parker would change the effective date from 2011 to 2013 or 2015.

Major Amendments

Ald. Parker proposed reducing the number of aldermen. Doing so would necessitate alleviating the Board of some of their responsibilities. A Planning Board could take on the responsibility of granting special permits. He felt there was a problem with the special permit granting authority resting with the legislative body over zoning. Other communities rarely let that happen. Also, the Board was responsible for the City's budget and even though the law says they're not supposed to look at the revenue generated by a development when deciding on a special permit, inevitably revenue generation was talked about. Creation of a Planning Board could solve that problem. Ald. Parker said all of these amendments work together as one package, particularly items 1-3. Ald. Baker was not in support of most of these items except changing the terms limits for the School Committee, either through Board action or Charter Commission.

Minor Amendments

Ald. Parker did not think the School Committee members should have term limits. He felt elections worked well as term limits. Eliminating term limits encouraged competition for those members who were not doing well. He also proposed taking the religious reference out of the Charter in the case of inauguration day. Changing the name from Board of Aldermen to City Council was also proposed. Ald. Parker asked for all of the proposed amendments to be voted as one whole package.

Ald. Johnson said that that the School Committee should be asked if they were interested in eliminating term limits. It was Ald. Baker's recollection that this had come before the Board in the past. Research showed that the Board voted against home rule legislation to change the term limits, but voted to put the question on the ballot. It did not pass. This was in 1992/1993. The School Committee has been sent an inquiry and the response will be reported to the Chairman. Ald. Johnson felt that removing the religious reference would be fine. Changing the name to City Council was something that could be researched but she felt wasn't necessary.

Charter Commission

Ald. Baker said that past discussions to reduce the Board were unsuccessful. He didn't feel that was something that would be widely supported. Without that amendment, the others could not follow. Ald. Hess-Mahan felt this was what a Charter Commission would be responsible for. He felt public hearings would be necessary, research, etc., and this was not something that should be done through the Board. The Board can make recommendations and ask for a home rule petition through state law to amend the Charter on an incremental basis. He felt these were larger issues that should be dealt with through a Charter Commission. Ald. Freedman agreed.

John Stewart and former Mayor Concannon had shown some interest in a Charter Commission. Ald. Parker said there was a group starting a signature drive, but it hadn't begun yet. To form a Charter Commission, there needed to be a successful signature drive, then the question to form a Charter Commission would be put on the ballot, as well as the election of members. The group has public hearings and comes to a recommendation. The recommendation goes to a ballot and can be voted, as a whole, up or down. He believed there would be a movement to get people on the Charter Commission who were interested in reducing the size of the Board. He proposed all these amendments to better explain how and why the Board should be reduced. Ald. Brandel asked that the Red Ribbon Commission look at the whether a Charter Commission could be formed. The Committee wondered if there were still any members of the last Charter Commission still around. It was determined that there were none.

Ald. Baker had concerns about the merits of these proposals and with the work ahead of them, he was worried that it would instigate lengthy discussion on the floor of the Board. Ald. Parker moved approval of this item with the recognition that these were good proposals that were unlikely to pass at this point. Ald. Hess-Mahan said he was going to vote against this, not because of its merits, but because he felt this was not the proper forum. Ald. Johnson agreed.

Ald. Parker moved approval of this item which failed to carry.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE 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.

ACTION: **HELD 6-0 (Ald. Merrill not voting)**

NOTE: Ald. Hess-Mahan said this topic was discussed in Long Range Planning Committee as well. The notion was to write into the Charter a requirement to do financial forecasts as well as long range planning. It used to be that the City did 5-year financial forecasts routinely, but it was not in the ordinances or a Charter provision. At some point, one of the Mayors stopped doing it. As part of the process of planning for NNHS, the Long Range Planning committee worked with the Mayor and other aldermen on creating a new financial forecast. That process involved David Wilkinson, City Comptroller, and the Budget Officer and they are now updated annually. What many other communities had was an ordinance or Charter provision that required both a financial forecast and financial planning. There were some examples attached to the

agenda for other communities. Moody's investor services noted that it was a good practice to have these documents prepared. The Governmental Financial Officers Association has a set of recommended practices and they recommend this as well. The Finance Director in Saco, ME, who is now working for Governmental Accounting Standards Board, began doing strategic planning for Saco. She worked with department heads and convinced other city staff that this was a good thing to do. They set out their goals and then they discussed their progress. They would get feedback from everyone including the public via a professional consultant. They sent out cards in the tax statements that asked if people would be interested in being a part of this strategic planning mission group and they got 80 or 90 responses. In about 3 years they put together a strong strategic plan. This information was attached to the agenda and more information can be found on Saco's website.

Ald. Johnson said the Mayor, just like the Board, was temporary. This was more about what was right for the City and this would not be the Mayor's decision whether or not this type of thing was done, although she would of course like to know his views on it. She also felt there would need to be a public meeting after budget season. She agreed that the work done in Saco was admirable. She thought this was a recommendation from the Blue Ribbon Commission as well. Newton needed to figure out what it wanted to be and work hard at that. This would put wording in the Charter or in an ordinance that this needed to be done for the benefit of the City. Ald. Freedman was in favor of this as well. He suggested specifying a time range, as in a 5-year plan. Ald. Baker pointed out that having the 5-year plan in the past helped the Blue Ribbon Commission to do their job. He felt it was worth pursuing and worth talking to the Executive Department about it. Long Range Planning had been working on this and he felt they could do some more work and report back to this Committee. Long Range Planning's conclusion on this had been that the Executive needed to be involved in the forecast.

Ald. Baker said he would like to separate the forecast from the planning. The forecast was easier to get clarity and should be part of the City financing package. The long range plan was a good idea but how it was done and shaped may affect what they did in terms of an ordinance or Charter amendment. Ald. Johnson wanted to hear from the Mayor and department heads as well as the public through a hearing. Ald. Parker felt it should be an ordinance and the Mayor could veto it if he wanted but not ask him beforehand.

Process

Ald. Parker would like to ask the Law Dept. to draft an ordinance which required that there be a 5 year financial forecast each year. He would like to create a parens (2) and (3). The parens (2) would be "Programs and Services Committee requesting ordinance amendment to require the Mayor, on an annual basis, to submit a 5-year financial forecast to the Board of Aldermen; and parens (3) would be "Programs and Services Committee requesting an ordinance amendment to require the Mayor, on an annual basis, to submit a strategic plan to the Board of Aldermen". He thought the 5-year financial forecast piece would be easy to do in a couple of sentences with a little guidance as to when it should be done each year. The parens (3) might take more time. He would like to have a parens (2) to vote on at the next meeting. The parens (3) may take until the fall. Ald. Parker voted

to create the parens (2) and (3). The Committee voted in favor 6-0 to approve creation of the 2 new docket items. The draft ordinances will be available for the next Programs and Services Committee meeting on May 7th.

REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES

#264-03(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.

ACTION: **HELD 6-0 (Ald. Parker not voting)**

NOTE: The Newton Taxation Aid Committee submitted their annual report and it was distributed to the Board. This item will recur each year. Ald. Baker moved to hold this item.

Respectfully Submitted,

Marcia Johnson, Chairman