

CITY OF NEWTON

BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, SEPTEMBER 3, 2008

**7:45PM - ROOM 222**

**ITEMS SCHEDULED FOR DISCUSSION:**

Appointment by His Honor the Mayor

#289-08      PAUL A. CAMILLI, 59 Clinton Street, Nonantum, appointed as a member of the Newton Parks & Recreation Commission for a term to start on October 13, 2008 and expire on June 30, 2011. (60 days: 10-10-08) [07-17-08 @ 2:56 PM]

Appointment by His Honor the Mayor

#223-08(2)      KATHLEEN HEITMAN, 751 Saw Mill Brook Parkway, Ward 8, as a member of the Newton Parks & Recreation Commission for a term to expire on June 30, 2011 (60 days: 10-10-08) [06-09-08 @ 2:06 PM] Appointment by His Honor the Mayor

Appointment by His Honor the Mayor

#223-08      KATHLEEN HEITMAN, 751 Saw Mill Brook Parkway, Ward 8, as a member of the Newton Parks & Recreation Commission for a term to expire on June 30, 2011 (60 days: 08-18-08) [06-09-08 @ 2:06 PM]

Appointment by His Honor the Mayor

#205-08(2)      BARBARA SMILEY, 1073 Walnut St., Newton Highlands, appointed as a member of the Newton Urban Tree Commission for a term to expire on May 30, 2011. (60 days: 10-10-08) [07-02-08 @ 1:54 PM]

Appointment by His Honor the Mayor

#205-08      BARBARA SMILEY, 1073 Walnut Street, Newton Highlands, appointed as a member of the Urban Tree Commission for a term to expire on May 30, 2011 (60 days: 08-02-08). [5-27-08 @ 12:50 PM]

#240-08

HIS HONOR THE MAYOR requesting authorization to increase two positions (a Certified School Nurse/Nursing Supervisor 0.2 FTE and a Public Health Program Specialist 0.53 FTE) in the Health and Human Services Department that appear as less than full time in the budget but are full time positions, the balance of each position funded from grants, with no increase in the budget. [7-8-08 @ 5:15 PM]

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

#317-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend twenty five thousand dollars (\$25,000) from Marathon Receipts for seed money which will be used in combination with future fund raising from local community groups for the installation of playground equipment at the Lincoln-Eliot School and the Newton Highlands Playground. [08-26-08 @ 3:45 PM]

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

#316-08 HIS HONOR THE MAYOR requesting authorization to appropriate and expend from Budget Reserve forty three thousand eight hundred twenty-nine dollars and six cents (\$43,829.06) for costs related to tree emergencies that occurred during the severe storms this past July and August. [08-26-08 @ 3:44 PM]

Appointment by His Honor the Mayor

#173-08(2) BARBARA LIETZKE, 68 Highland Avenue, Newtonville, appointed as a member of the Newton Free Library Board of Trustees to replace Sandra Butzel for a term to expire on June 30, 2010. (60 days: 10-10-08) [07-02-08 @ 1:54 PM]

Appointment by His Honor the Mayor

#173-08 BARBARA LIETZKE, 68 Highland Avenue, Newtonville, appointed as a member of the Newton Free Library Board of Trustees to replace Sandra Butzel for a term to expire June 30, 2010 (60 days: 07-04-08). [4-11-08 @ 9:41 AM]

Re-Appointment by His Honor the Mayor

#290-08 AUDREY COOPER, 114 Berkeley St., Newton, re-appointed as a member of the Newton Free Library Board of Trustees for a term to expire June 30, 2013. (60 days: 10-10-08) [08-05-08 @ 3:23 PM]

#293-08 ALD. BRANDEL, SANGIOLO, YATES & GENTILE requesting a discussion with the Library Director and Library Trustees regarding the financial information they used in evaluating the branch libraries during the FY09 budget process and how that information factored into their decision to close the branches in the aftermath of the override referendum failure. [07-25-08 @ 2:54 PM]

#292-08      ALD. YATES requesting that His Honor the Mayor appoint a Branch Library Preservation Task Force to develop a model plan of operations to enable any branch library to remain as a public-private partnership with a neighborhood-based organization and the Newton Free Library to provide uses of the branches with access to the Newton Free Library Collection and to the services of the Minuteman Library System. (07-14-08 @ 11:32 PM]

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

#260-08      ALD. SANGIOLO proposing the establishment of a revolving account to receive contributions and rental income to go directly to fund branch libraries for each individual branch. [07-08-08 @ 1:29 PM]

#206-08      ALD. YATES proposing a RESOLUTION requesting the Library to leave the book collections in the branch libraries after they are closed to allow neighborhood based efforts to continue library service, in some form, to begin with a critical mass of books. [05-22-08 @ 10:43 PM]

#128-08      ALD. YATES requesting a RESOLUTION to congratulate Newton resident, Harvard Law Professor Mary Anne Glendon on her appointment as US Ambassador to the Vatican. [03-03-08 @ 11:01 PM]

**ITEMS NOT YET SCHEDULED FOR DISCUSSION:**

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

- #315-08 HIS HONOR THE MAYOR requesting the establishment of a revolving fund to be used for receiving and expending up to \$150,000 annually for the purpose of collecting fees and supporting the cost for the elementary music program. [08-26-08 @ 3:48 PM]
- #306-08 ALD. BAKER, DANBERG, MANSFIELD & PARKER requesting discussion of how swimming at Crystal Lake might be lawfully and safely extended beyond mid-August. [08-26-08 @ 5:03 PM]
- #305-08 HIS HONOR THE MAYOR requesting that Sections 27-22 and 27-23 of the Senior Citizen Volunteer Program of the City of Newton Revised Ordinances, 2007, be amended by replacing the “commissioner of health and human services” with the “director of senior services.” [08-26-08 @ 3:45 PM]
- #329-05(2) ALD. PARKER requesting further amendment to the noise ordinance to: improve enforceability and effectiveness of the ordinance; remove the source-based exemption for noise generated by birds, and; address the differential treatment of construction noise on weekends. [08-26-08 @ 3:15 PM]

**REFERRED TO PROG. & SERV. AND PUBLIC FACILITIES COMMITTEES**

- #294-08 SUPERINTENDENT YOUNG requesting a vote of the Board of Aldermen to complement the vote of the School Committee to instruct him to submit a statement to the Massachusetts School Building Authority confirming the City’s top three priority elementary schools: Angier, Cabot and Zervas, with Angier being the first priority, by September 15, 2008. [07-24-08 @ 2:21 PM]
- #291-08 ALD. BAKER & ALBRIGHT recommending the appointment of Gerald Tischler as a member of the Dogs Off-Leash Advisory Committee to replace Kate Wissel pursuant to 3-30(c) of Ordinance Z-11. [08-08-08 @ 9:10 AM]

**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]

**REFERRED TO PROG. & SERV., ZONING & PLANNING, PUB. FACIL.,**

**PUB. SAFETY 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]

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

- #272-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor 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 Human Resources Departments. [07-17-08 @ 9:53 AM]

**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]

**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]

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

- #261-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding moving the Director of Arts in the Parks' salary to the Arts in the Parks revolving account. [07-08-08 @ 1:29 PM]

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

- #259-08 ALD. SANGIOLO requesting discussion with the Executive Department regarding moving the salaries of the Parks & Recreation Commissioner and the Recreation Programs Director to the revolving accounts for various programs. [07-08-08 @ 1:28 PM]

**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]

#224-08 HIS HONOR THE MAYOR requesting to submit Home Rule Legislation to establish a permanent fund for the maintenance of artificial turf fields at Newton South High School. [06-10-08 @ 5:12 PM]

**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]
- #154-08 ALD. JOHNSON requesting to establish a definition and appropriate usage of the Committee of the Whole of the Board of Aldermen as are all committees of the Board. [4-10-08 @9:09 AM]
- #153-08 ALD. JOHNSON requesting to establish a definition and appropriate usage of the Long Range Planning Committee of the Board of Aldermen as are all committees of the Board. [4-10-08 @9:09AM]
- #130-08 ALD JOHNSON, SANGIOLO AND BRANDEL requesting establishment of a new Rule of Board of Aldermen requiring that referral of any and all new business, communications, petitions and orders docketed before the Board of Aldermen be restricted to one or more of the standing committees of the Board of Aldermen: Land Use, Programs and Services, Public Safety and Transportation, Zoning and Planning, Finance, Real Property Reuse, Post Audit and Oversight, Public Facilities and Committee on Community Preservation. [03-24-08 @ 9:11 AM]
- #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]
- #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]

**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]

#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]

**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 1/23/08**

#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]

**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 2-12-08**

#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**

#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]

#422-06 ALD. HESS-MAHAN requesting creation of an ordinance prohibiting the use of portable gasoline-powered leaf blowers within the City limits.  
**PROGRAMS & SERVICES APPROVED AS AMENDED 4-2-2**  
**(Brandel, Sangiolo opposed; Baker, Merrill abstaining) on 3/19/08**  
**RECOMMITTED TO PROGRAMS & SERVICES ON 4-22-08**  
**HELD 07-09-08**

#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 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.

**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.  
**HELD 4/23/08**

**REFERRED TO PROGRAMS & 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

DRAFT RESOLUTION

**#128-08**

Whereas Mary Ann Glendon of Newton began her service this year as U.S. Ambassador to the Holy See;

Whereas Mary Ann Glendon of Newton is the Learned Hand Professor of Law at Harvard Law School;

Whereas Mary Ann Glendon of Newton was the first female President of the Pontifical Academy of Social Sciences;

Whereas Mary Ann Glendon of Newton is the author of ten books including most recently "A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights;"

Whereas Mary Ann Glendon of Newton headed the 22 member delegation of the Holy See to the Fourth United Nations Women's Conference in Beijing;

Whereas Mary Ann Glendon of Newton received her Bachelor of Arts, Juris Doctor; and Master of Comparative Law from the University of Chicago:

Whereas Mary Ann Glendon of Newton taught at Boston College Law School from 1968 to 1968 and was a Visiting Professor at the University of Chicago Law School and the Gregorian University in Rome,

Now therefore be it resolved that the Newton Board of Aldermen congratulates Ambassador Glendon on her appointment and confirmation, wishes her well in her service, and asks her to share her experiences with her fellow residents of Newton after her return to the city.