

CITY OF NEWTON

BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, NOVEMBER 5, 2008

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

Also Present: Ald. Yates

Others Present: Jayne Colino (Director, Department of Senior Services), Lynn Feinman (Intern, Senior Center), Sandy Pooler (Chief Administrative Officer), Karyn Dean (Committee Clerk)

Re-appointment by His Honor the Mayor

#361-08 DEBORAH HOWARD, 34 Fairfax St., Newton, re-appointed as a member of the URBAN TREE COMMISSION for a term to expire on July 30, 2011. [10-14-08 @ 2:17 PM] (60 days: 12/19/108).

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

NOTE: Ald. Sangiolo said Ms. Howard has done a fabulous job and has started the Tree Conservancy. Ald. Parker moved approval of this appointment and the committee voted in favor.

Re-appointment by His Honor the Mayor

#362-08 JOSEPH MARGLIN, 82 Kenilworth St., Newton, re-appointed as a member of THE NEWTON COMMONWEALTH GOLF COURSE FOUNDATION for a term to expire on July 30, 2010. [10-14-08 @ 2:17 PM] (60 days: 12/19/08).

ACTION: **APPROVED 6-0-1 (Ald. Freedman abstaining; Ald. Baker not voting)**

NOTE: Ald. Brandel moved approval of this appointment and the committee voted in favor.

#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]

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

NOTE: Jayne Colino, Director of Senior Services presented this item. She introduced Lynn Feinman who was an intern from Lasell College who was in the Masters Degree program in Eldercare Management and has been involved in the tax work-off program since Senior Services took it over. Ms. Colino explained that the changes in staffing at the Department at Health and Human Services expedited the transition of this program to the Department of Senior Services. Since this was a senior property tax work-off program, this was something that had been in discussion. This item looks to change the ordinance to make this transition official since Senior Services has been administering this program since the beginning of this fiscal year.

Overview of Current Program

Lynn Feinman, Intern at the Department of Senior Services, reported that they currently have 57 participants in the tax work-off program. There were 53 who were placed in volunteer positions. There were 63 volunteer positions with 6 still looking for a match. Seventeen departments participated in the program with varying numbers of volunteers depending on their needs. There were 15 men and 42 women participating. Ms. Feinman was projecting that approximately 6,000 hours will be volunteered through the program. Over 1,000 of those hours will be volunteered above and beyond the maximum that could be applied to the tax abatement. This showed that the seniors really enjoyed participating and being involved. The majority of the positions were clerical with a few handyman spots. Ms. Colino noted that providing more opportunities in the community, in homes, might be more appealing to volunteers who did not have clerical skills but had other skills.

Expansion of Program

Ms. Colino said she was hoping to expand this program to address some of the unmet needs in the community. Expanding the reach of the volunteers into the community instead of limiting them to city departments was one of the goals. For instance, the Senior Services Department often gets calls for help with taking out trash, changing light bulbs, or batteries in smoke detectors. She wanted to be sure that as a municipality, they were in the position to place people in the community. She met with the Law Department, David Naparstek and Bev Droz and it was agreed that within the vehicle of this program, they could expand. The idea would be to eventually expand volunteer outreach so that more volunteers would come in who weren't necessarily part of the tax work-off program.

Ms. Colino explained that the growing preference for many seniors was to age in place. There was a large trend across the country referencing Naturally Occurring Retirement Communities (NORC). These were membership organizations that convened services in a way that the members could access them knowing that the people coming into their homes to do work had been checked out, were safe, and would provide a quality service. Newton does have a couple of groups that were trying to come together as NORCs. The Senior Services Department was talking with them and recruiting some thinkers into the process to help Newton learn how they could best provide some needed services as a

municipal agency. With the decline in the economy, Ms. Colino predicted that more people will be looking to benefit from a tax work-off aspect, but also would be looking for more economical ways to get odd jobs done. In order to help people age in place, providing these services could make it possible for them to stay in their homes. It would change the landscape of volunteer services to and by seniors.

History of \$50,000

Ms. Colino said the current program was budgeted for \$50,000. The amount of hours adjusts based on the minimum wage. Therefore, with the current increase in minimum wage, the number of maximum hours decreased to up to 94 hours in a year. This provides for 61 slots to be filled. She explained that they have not run at full capacity and haven't spent all \$50,000. If the program was expanded, this amount may not be sufficient and that remains to be seen. Right now, the state waives income tax on the money earned, however, the federal government does not. The Senior Services Department is working on a national piece of legislation and Barney Frank is working on a bill to have federal income tax waived on this money. This has been a deterrent for some people.

Ald. Johnson asked how the \$50,000 was reached as the budget amount. Mass General Law Chapter 59, Section 5K states that the maximum amount a senior citizen can work off for taxes is \$750 per year. In March of 2003, the Programs & Services committee discussed an amount of \$50,000 to \$75,000 to fund this effort. They voted to approve \$50,000 as this was a new program and they weren't sure what participation levels would be. That Board Order is attached to this report (#303-02).

Ald. Merrill moves approval of this item and the committee voted in favor.

#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]

ACTION: **NO ACTION NECESSARY 8-0**

NOTE:

Current Status

Ald. Yates said that the Mayor has had fruitful and extensive negotiations with the Waban Improvement Society and the Auburndale Community Association. They have worked something out whereby the neighborhood groups would gain access to the branch library building for distribution and use of the existing materials. They have also developed a plan so that each neighborhood group would have a collective library card which they could use to access the collection through the main library. A volunteer from Auburndale or Waban would pick up books that people have ordered and check them out

at the Main library, and bring them back to the branch for distribution to the neighborhood. Ald. Ciccone told Ald. Yates that he had identified a daycare that would want to take over the space in the Nonantum building basement, and the Mayor seemed fairly certain something could be worked out. The daycare said they would pay for repairing the wheelchair lift down to the basement. Newton Corner had not been heard from which surprised Ald. Yates as there had been some very outspoken members of that community in the past.

Written Policy

Ald. Brandel wondered if a task force was still necessary as the neighborhood groups were moving forward with some plans. Ald. Yates didn't feel a task force was necessary but Ald. Johnson and Brandel thought a written policy was needed from the Mayor instead. Ald. Brandel said that he and Ald. Sangiolo have been telling groups not to commit to anything until that policy comes out. Mr. Pooler stated that the community groups should not be waiting for a policy and it concerned him that they were.

Ald. Hess-Mahan suggested creating a parens item to keep track of this and voting No Action Necessary on the task force item. It was suggested that the following be accepted as the parens item and the committee voted in favor:

#292-08(2) PROGRAMS AND SERVICES COMMITTEE requesting that His Honor the Mayor develop a written policy of standards and processes that could be uniformly followed by community groups for the use of the branch library buildings. [11-07-08 @ 11:11 AM]

Executive Department Response

Sandy Pooler distributed a memo to the committee which is attached to this report. The memo reports that there have been ongoing meetings with groups in Waban and Auburndale on the use of their branch library buildings. The main points of the memo were that the preferred use of the buildings would be as libraries; the city would seek to recoup the incremental costs from the use of the buildings from the groups; and the city would not be subsidizing the operation except as outlined in the memo. Mr. Pooler said he was involved in dealing with the Nonantum group and was close to signing a license for the remainder of this fiscal year with the group that's currently running Italian classes. The group would be expected to cover utility costs above what the city was currently covering. The Mayor has asked the groups to prepare a statement of what they would like to see and then they could all work together to make something happen. Ald. Yates wondered if the Friends of the Library book sales in the Auburndale building could contribute some of their funds for expenses. Ald. Sangiolo said the Mayor would adjust for the uses that were currently in the branches like the Food Pantry.

Ald. Johnson felt there should be some consistent guidelines from the Executive Department for the groups to follow to deliver the services to the community. Mr. Pooler said they wanted the groups to be entrepreneurial and creative and did not want to

mandate any threshold criteria. Instead they would like groups to come to them with their ideas and work cooperatively. Ald. Brandel felt having some guidance would not limit the creativity of the groups but would enhance their efforts since the knowledge of the administration and the Library Director could help them. Ald. Sangiolo explained that the Mayor was open to talking all of the groups and Ryan Hanson from the Library staff went over the kinds of things that might be problematic. Mr. Hanson was to provide a written summary. Ald. Johnson felt there needed to be a licensing agreement with each group. Mr. Pooler said there were some things that they could definitively say they would take care of such as cutting grass, plowing snow, and fixing things in the buildings. They will continue to work with the groups as more questions come up.

Ald. Parker felt the Mayor's memo was very responsive to the needs of the community groups. For instance, he felt it was great progress that the Mayor stated that the preferred use of the buildings would remain as libraries. His only suggestion was to keep the financial obligations flexible for the first year as it is very difficult getting a venture started. Ald. Brandel said any request to the Mayor for further funds was shelved for the time being. He said that as plans moved forward, if it made sense, then they could make a request. Ald. Yates noted that there was a small amount (\$15,000) that would be used for utility costs for the buildings. They also needed to work out how the arrangement with the Minuteman Network would operate.

Ald. Johnson asked the docketers to let her know when the parents item would be ready for further discussion. The committee voted no action necessary on this item.

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.

ACTION: **HELD 8-0**

NOTE: Ald. Johnson said that since Citizens Advisory Group (CAG) will be releasing their subcommittee reports over the next few months, and the Mayor has made some projections of a budget gap, she felt this item warranted some discussion. She also felt this might be something to discuss in the Long Range Planning Committee. Ald. Hess-Mahan said he would like to see what the CAG has to recommend. Ald. Brandel suggested asking the CAG for their opinion on this docket item.

Mr. Pooler said he wasn't sure that the Mayor had an official position on this. He didn't think amending the Charter to create these kinds of things worked and felt it placed artificial constraints on the decisions and priorities of the Executive.

Ald. Parker was concerned that some of the language in this item was overly broad and set unreasonable standards. He felt that having a strategic plan was a good thing to do and wondered if it made more sense to have it in an ordinance as opposed to a charter change. A change to the charter would require a home rule petition which would have to go to the legislature. Mr. Pooler said they had to be sensitive to separation of powers issues. The Executive power in the charter resides in the Executive. Ald. Parker said they could put these in the ordinance and a mayor could veto it if he/she felt it necessary. Ald. Johnson felt there needed to be considerable conceptual work on this before deciding on ordinance or charter amendment.

Mr. Pooler said that the Mayor will have an updated forecast on November 12. Ald. Baker felt it was important to look at that and continue discussions. Ald. Hess-Mahan made a motion to hold this item and the committee voted in favor.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#207-08 ALD. BRANDEL AND SANGIOLO proposing that the following question be put before the Newton voters:

“Shall the City of Newton be allowed to exempt from the provisions of Proposition 2 ½ the amounts required to pay for the bond issuance in order to fund Newton North High School?” [05-21-08 @ 12:58 PM]

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

NOTE: Ald. Brandel said he thought this was still the best vehicle for funding the bonds for the high school. He said they did not know what the bonds were going to cost at this point because they will not go out until the spring. He asked that this item be held as they still had to go through the budget process to see what the financial landscape would be. Ald. Brandel noted that several municipalities in the Boston area had projected-related overrides and none were for an operational override.

Ald. Parker noted that the Newton North project would happen whether or not a debt exclusion passed and that eliminated much of the incentive to vote for it. He felt it was the best way to pay for the project but wondered if the public would be in agreement. Instead, he felt it would be best to use a debt exclusion for prospective projects. Ald. Brandel thought they should start thinking about a multi-question ballot item in case they wanted to use a debt exclusion for an elementary school project, for example. Ald. Sangiolo felt that as people saw the impact the high school cost was having on the city's operating budget, they might feel differently about a debt exclusion for the high school.

Sandy Pooler felt that any proposal for an override would need people in the community to campaign for it. He noted that the Board had turned down the idea of a debt exclusion in the spring and wasn't sure what the public support would or would not be. He said

that excluding debt gives a short break to the operating budget in a given year, but that break goes away and is not permanent. He felt it allowed for more capital spending not necessarily more money in the operating budget.

Ald. Yates moved to hold this item and the committee voted in favor.

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

RULES SUBCOMMITTEE APPROVED 4-0 ON 10-22-08

ACTION: APPROVED 8-0

NOTE: Ald. Freedman noted there was a concern about what would happen if the signs were somehow removed or destroyed during the stated time that they were to remain posted. Ald. Sangiolo stated that they should include in the Rule that the signs were not the only notice that people would receive but instead was supplemental. Ald. Freedman said he was waiting to get clarification from Ouida Young from the Law Department.

There was also concern about whether or not this should be in the Rules or in an ordinance. Ald. Johnson wanted to be sure that all the information was easily accessible, which should include having it clearly stated on the website. Ald. Hess-Mahan said that he and Ald. Mansfield have spoken about getting all the information together and making all the requirements clear for applicants.

Motion to Adjourn.

Respectfully Submitted,

Marcia Johnson, Chairman

CITY OF NEWTON
IN BOARD OF ALDERMEN
January 22, 2003

1. ORDERED:

That in accordance with the recommendation of His Honor the Mayor and by vote of the Honorable Board of Aldermen, the provisions of General Laws chapter 59 section 5K, *Program for Persons Over Age 60 to Provide Volunteer Services to City of Town in Exchange for Reduction in real Property Tax Obligations*, by title, be and are hereby accepted by the City of Newton.

2. Be it ORDAINED BY THE BOARD OF ALDERMEN
OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2001, as amended, be and are hereby further amended by adding Article II to Chapter 27, as follows:

ARTICLE II. SENIOR CITIZEN VOLUNTEER PROGRAM

Section 27-20:

A person who qualifies pursuant to the provisions of this article may volunteer to provide services to the city in accordance with the standards and requirements set forth herein. In exchange for such volunteer services, the city shall reduce the real property tax obligation of such person on tax bills for his principal residence and any reduction so provided shall be in addition to any exemption or abatement for which such person shall be otherwise qualified. Each such volunteer shall receive a rate of or be credited with the current minimum wage of the commonwealth. The maximum allowable annual reduction on any real estate tax bill shall be \$750.

Section 27-21:

A person who is 60 years of age or older, whose principal place of residence is in Newton and whose annual gross income, as defined in the Internal Revenue Code of the United States, is less than \$40,000 if such person is single and not head of household, less than \$50,000 if such person is head of household, or less than \$60,000 if such person files a joint tax return with spouse, may be eligible to receive the reduction set forth in section 27-20. The date of determination as to age, residence, ownership and income shall be July first of each year.

Eligibility shall be determined by the Assessors. In order to ascertain an applicant's financial eligibility, the Assessors may request verification of the applicant's income by any means including requiring the submission of income tax returns.

Section 27-22:

The head of each city department shall and the chair of each city board or commission may, on or before the 45th day following the passage of this article and from time to time thereafter, furnish to the director of human services, on a form provided by said director, a list of volunteer positions available in each department, board or commission respectively. Said list shall include a description of the nature of each position, a list of skills such position requires, when the position will be available, the total hours for the position and such other information the director may require. Persons may volunteer pursuant to section 27-20 by filling out the application form furnished by the director.

Section 27-23:

The director of human services shall establish non-financial employment eligibility criteria and may require reviews of criminal offender record information as he deems necessary. If an applicant is deemed financially eligible by the Assessors, his acceptance into this program shall be further subject to the approval of both the director, or his designee, and that of the appropriate department head or board or committee chair.

Section 27-24:

The department, board or commission supervising the volunteer's services shall certify to the Assessors the amount of services performed by the volunteer as of the time the actual tax for the fiscal year is committed. Services performed after that date and before the next commitment date shall be credited toward the next fiscal year's tax bill. The department, board or commission shall provide a copy of such certification to the volunteer.

The Assessors shall process all reductions as abatements and charge them against the overlay account. The director shall not approve a number of volunteers whose total possible reductions would exceed \$50,000 in any fiscal year.

Section 27-25:

Volunteers approved pursuant to this article shall not receive any health insurance, retirement benefits or any other employment related benefits as a result of performing such volunteer services. Nothing herein shall create any rights to said volunteers other than those already created by state law.

#292.08



David B. Cohen
Mayor

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Memorandum

To: Programs and Services Committee
From: Mayor David B. Cohen
Date: November 5, 2008
Re: Use of former branch libraries

To date I have had several productive meetings with groups from Waban and Auburndale about having community organizations provide library services out of the former branch buildings in these villages. Here is where we are thus far.

There are three policies that we've put forward. First, the city considers a library to be the preferred use for these buildings and we are ready to work with the community to help make that happen.

Second, the city is not seeking to make money off the use of the buildings as libraries. We are only interested in receiving from the community groups the incremental costs that would be incurred arising from their use of the buildings.

Third, the city is not looking to lose money either. So we will not be expending additional money to subsidize the operation.

We also discussed a number of specific issues. With respect to utilities, Nick Parnell is preparing an analysis of the cost of heat, lighting etc. for these buildings. We will then provide the data to the community groups. As you may know a small amount of money was appropriated to keep the buildings minimally heated to prevent deterioration and to sustain the book sale operation at the Auburndale building and the Food Pantry at the Waban building. The city will continue to pay these costs. The community group will only be responsible for the incremental cost.

The city will continue to be responsible for routine maintenance. Responsibility for custodial services and major repairs is still under discussion and may depend upon the term of the agreement we reach. This is discussed more fully below.

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.ci.newton.ma.us

The city will be responsible for snow plowing. The issue of liability is still under discussion.

It appears that the privately run library envisioned here would not be able to directly access the Minuteman system. So we are discussing a way that patrons of the community libraries can borrow books through the Newton Library and pick up those books up at the Waban and Auburndale buildings.

The Newton Library has also agreed to keep the existing collections, as well as a number of computers, at the neighborhood buildings.

Staffing the buildings will be the responsibility of the community groups.

There are several next steps. The community groups are going to prepare a proposal spelling out, in general terms, what they would like to do with the buildings. We will provide them with our estimates of the incremental expenses. We will then begin an iterative process that will hopefully result in a licensing agreement authorizing them to run libraries out of the former branch buildings.

If the community libraries are able to succeed then in the long run we would begin the re-use process which hopefully would result in the city entering into a long-term lease with the community groups for the operation of community libraries.

I believe that developing public-private partnerships with community groups is the best way to ensure that city continues to offer our citizens the neighborhood libraries that have enhanced the quality of life in their respective villages.