

CITY OF NEWTON

BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, JULY 13, 2005

Present: Ald. Johnson (Chair) President Baker, Ald. Hess-Mahan (Vice Chair), Ald. Sangiolo Parker, Coletti

Absent: Ald. Fischman, Merrill

Other Alderman Present: Ald. Yates

Others Present: Edward English (City Clerk/Clerk of the Board) Bob DeRubeis (Recreation), Stephanie Pelkowski (Recreation)

REFERRED TO PROGRAMS AND SERVICES & FINANCE COMMITTEES

#232-05 CHAIRMAN OF FINANCE requesting an amendment to Section 4-21 of the City of Newton Ordinances, 2001, to reflect an adjustment of salary for the City Clerk/Clerk of the Board to mirror retroactive adjustments given to all Hay Grade employees from July 1, 2004 to July 1, 2006.

ACTION: **APPROVED 6-0**

NOTE: City Clerk Edward English was present for this discussion. Ald. Johnson noted that Associate City Solicitor Gayle Smalley provided a memo with information that explained the relevant statutes for this salary adjustment. (see attached)

Ald. Coletti said this adjustment would just bring the position up to where others in the same bracket were treated. Typically the new person will start at the mid point of this job.

Ald. Coletti made a motion that the Law Department be instructed to draft the necessary language to adjust the Clerk's salary to achieve an end point of approximately \$88,405. The Comptroller will work on the best way to split the percentage increase and the Legal Department will draft the necessary language. The Committee approved this 6-0.

REFERRED TO PROGRAMS AND SERVICES & FINANCE COMMITTEES

#231-05 HIS HONOR THE MAYOR requesting authorization to appropriate and expend fifty-five thousand dollars (\$55,000) - \$30,000 for Fibar and \$25,000 for equipment - from Marathon Receipts for the purpose of funding park improvements and repairs at Hunnewell Park and Cabot Park.

ACTION: **APPROVED 4-0 (Baker, Johnson not voting)**

NOTE: Both Bob DeRubeis and Stephanie Pelkowski of the Recreation Department were present for discussion of this item. Mr. DeRubeis said \$30,000 would be used for both Fibar and minor repairs of equipment throughout 48 sites. Mr. DeRubeis noted that these repairs were a priority.

Ald. Parker inquired as to the amount of Marathon funds available and whether there was any plan to allocate funds to repair the track at Newton South. He said the Newton South track was in bad shape and needed to be fixed. Mr. DeRubeis and Ms. Pelkowski said they were not aware of plans to repair the Newton South track at this time and did not know how much Marathon money was left.

Ald. Coletti noted that because the money comes from a running event, in the future he would like to see the Marathon money used for track repairs or other running related purposes, in addition to other recreation needs such as playground repairs. Ald. Parker agreed.

Ald. Sangiolo moved approval of the item and the Committee voted 4-0 in favor.

#47-05 ALD. SANGIOLO requesting amendment to the Tree Preservation Ordinance to provide a provision for notification to the Board of Aldermen of any price adjustment for payment for trees removed in accordance with the ordinance.

ACTION: **HELD 5-0 (Johnson not voting)**

NOTE: Ald. Sangiolo noted that there were two issues raised by this item: (1) she had questions about the process and amount of price adjustments that were being made with respect to the cost of tree replacement under the tree preservation ordinance and (2) the need for notification to the board when price adjustments are made. Marc Welch told Ald. Sangiolo that the Urban Tree Commission is re-looking at the amount of money being assigned for the cost of tree replacement. This issue has been an important point of contention by many of the major developments that had come in asking for some sort of price adjustment settlement. Ald. Sangiolo felt that the committee should hear from Mr. Welch and hold a discussion regarding this issue before any language is drafted. Since Mr. Welch of the Recreation Department is on vacation, Ald. Sangiolo indicated that she preferred to wait to hold further discussion on this item.

#119-05 ALD. YATES proposing that the City of Newton establish a Housing Trust Fund under the Enabling Act of Chap. 294 of the Acts of the General Court of 2004.

ACTION: **NAN 4-0 (Parker, Johnson not voting)**

NOTE: Ald. Yates explained that he had proposed this item based on information he received from the Citizens' Housing and Planning Association (CHAPA) indicating that municipalities should establish housing trust funds for affordable housing. The law department has provided a memorandum regarding establishment of a housing fund trust. (Copy of memo

attached.) Ouida Young of the Law Department pointed out that there are many difficulties with this proposal. Among other things, Newton already has the Housing Authority and Housing Rehabilitation Fund to administer local, state and federal funds allocated for creating affordable housing in the city. The enabling legislation would require the creation of yet another agency to administer a housing trust fund established under the statute. Based on the information from the City Solicitor's office, Ald. Yates felt there should be no action necessary. The Committee voted NAN 4-0 (Parker, Johnson not voting).

#197-05 ALD. SANGIOLO requesting Resolution to our State Delegation asking that the State of Massachusetts join other states in the suit against the federal government regarding under funding for implementation of the No Child Left Behind Act.

ACTION: **APPROVED 4-0 (Johnson, Parker not voting)**

NOTE: Ald. Sangiolo indicated that she docketed this item as a result of hearing many times from the School Committee that issues were "unfunded mandates." She noted that in her memo she also requested that we consider sending a resolution asking to send a resolution to Congress saying please fully fund requirements of the No Child Left Behind Act and if not, give us an exemption for those areas that they cannot fully fund. (See attached packet including backup information.)

The item was approved with the creation of #197-05(2) which will be to create a resolution.

#171-04 ALD. HESS-MAHAN requesting home rule legislation authorizing local voting rights for permanent resident aliens residing in Newton.
Item recommitted by Full Board on February 7, 2005

ACTION: **HELD 4-0 (Sangiolo, Johnson not voting)**

NOTE: Ald. Hess-Mahan reminded the committee that this item had been held pending a discussion of the feasibility of implementing a proposed amendment by Ald. Vance that would allow local voting rights to permanent resident aliens who had already applied for citizenship. He said that the Election Commission had agreed to take this item up at their next meeting in September. Ald. Hess-Mahan noted that he had a discussion with immigration Attorney Rodney Barker regarding the proposed amendment. Mr. Barker expressed the opinion that the proposed amendment would not really help very many people since the average applicant only has to wait an additional 9-12 months to obtain citizenship after the application has been filed. The Committee voted to hold this item 4-0.

Respectfully submitted,

Marcia Johnson, Chair

