

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, FEBRUARY 4, 2004

7:45 P.M.

Room 222, City Hall

ITEMS SCHEDULED FOR DISCUSSION:

Appointment by His Honor the Mayor

#58-04 ARTHUR MAGNI, 107 Mount Vernon Street, West Newton, appointed by His Honor the Mayor as a regular member of the NEWTON PARKS AND RECREATION COMMISSION to fill the unexpired term of James Mahoney, whose term will expire on January 1, 2005. (60-day Board action date 3/20/04).

#32-04 KENNETH REISMAN, 34 Roosevelt Road, Newton, appointed as a member of the COMMONWEALTH FOUNDATION for a term of office to expire on December 31, 2006. (60-day Board action date 03-05-04)

Re-Appointment by His Honor the Mayor

#59-04 PRESIDENT BAKER recommending ALD. MARCIA JOHNSON be re-appointed as an Aldermanic appointee to the CHILD CARE COMMISSION, term of office to expire 12/31/05 (60-day Board action date 3/20/04).

Re-Appointment by His Honor the Mayor

#29-04 BEVERLY STACHOWICZ, Director of Human Services, re-appointed as a member of the NEWTON CHILD CARE COMMISSION for a term of office to expire on January 1, 2006.(60-day Board action date 03-05-04)

Appointment by His Honor the Mayor

#33-04 MARY PANAGGIO, 108A JFK Circle, Nonantum, appointed as a member of the NEWTON HOUSING AUTHORITY for a term of office to expire on December 31, 2006. (60-day Board action date 03-05-04)

Re-Appointment by His Honor the Mayor

#31-04 ALISON GOULDER, 73 Fairmont Avenue, West Newton, re-appointed as a member of the NEWTON CHILDCARE COMMISSION for a term of office to expire on January 1, 2006. (60-day Board action date 03-05-04)

#93-01(2) HIS HONOR THE MAYOR requesting authority to file Home Rule Legislation that would authorize the City of Newton to grant to the Massachusetts Water Resources Authority certain permanent easements in Edmands Park and Bulloughs Pond Park for the purpose of MWRA's construction and maintenance activities on the Weston Aqueduct, and upon enactment by the Legislature, authority to negotiate with and grant such permanent easements to the MWRA.

#274-03 ALD. JOHNSON requesting discussion with School Committee regarding implementation of transportation fees in FY04.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#311-03 HIS HONOR THE MAYOR recommending the creation of a revolving fund with an expenditure limit of up to sixty-five thousand dollars (\$65,000). Said fund will be established in accordance with MGL Ch.44, Sec.53 ½. This fund will receive student parking fees and expenditures will pay the wages of campus aides and administrative salaries for the parking program.

REFER TO PROG&SERV, PUBLIC FACILITIES & FINANCE COMMITTEES

#369-03 ALD. SANGIOLO requesting a presentation of the findings and results of the *Newton North Feasibility Study* to the Board of Aldermen in a public forum to allow a greater number of the public to hear the presentation and offer public comment.

REFERRED TO PUB. FACIL. & PROGRAMS & SERVICES COMMITTEES

#83-03 ALD. GENTILE, BRYSON, COLETTI AND LIPSITT requesting that the Health Commissioner conduct/oversee a testing program to evaluate the air quality at Newton North High School and, if necessary, make recommendations to ensure the safety of all students and staff in the building.

#37-04(3) ALD. SANGIOLO requesting Home Rule Legislation to permit the City of Newton to set the date of Special Election for the Ward 6 At-Large vacancy for the fall of 2004.

REFERRED TO PROGRAMS AND SERVICES AND LAND USE

#267-02 ALD. BASHAM requesting creation of rules for Board of Aldermen acting as Special Permit granting authority.

NEW BUSINESS:

#89-04 ALD. PARKER on behalf of the Green Decade Coalition/Needham requesting the designation of March 2004 as ALTERNATIVE TO PESTICIDE MONTH.

#90-04 ALD. GERST seeking review of New TV responsibilities and obligations pursuant to Newton Cable TV Agreement between City of Newton and Newton Communications Access Center Inc.

Appointment by His Honor the Mayor

#92-04 SUSAN THOMAS, 60 Moffat Road, Newton appointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring January 1, 2007 (60-day Board action date 4/2/04)

Appointment by His Honor the Mayor

#91-04 RICHARD DYER, 10 Terrace Avenue, Newton appointed as a member of the NEWTON YOUTH COMMISSION for a term of office expiring January 9, 2007 (60-day Board action date 4/2/04)

Appointment by His Honor the Mayor

#93-04 SONA PETROSSIAN, 71 E.Quinobequin Road Newton appointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring January 1, 2007 (60-day Board action date 4/2/04).

Re-appointment by His Honor the Mayor

#94-04 BRENDA KRASNOW, 71 Stuart Street, Newton Newton re-appointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring April 1, 2005. (60-day Board action date 4/2/04).

Re-appointment by His Honor the Mayor

#95-04 MURIEL ESDALE, 125 Woodchester Road, Newton re-appointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring April 1, 2004 (60-day Board action date 4/2/04).

Re-appointment by His Honor the Mayor

#96-04 MARIANNE FERGUSON, 999 Washington Street, Newton re-appointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring April 1, 2004 (60-day Board action date 4/2/04).

Re-appointment by His Honor the Mayor

#97-04 PAUL HOLTZMAN, 61 Temple Street, Newton re-appointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring April 1, 2005 (60-day Board action date 4/2/04).

Re-appointment by His Honor the Mayor

#95-04 MURIEL ESDALE , 125 Woodchester Road, Newton re-appointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring April 1, 2004 (60-day Board action date 4/2/04).

Re-appointment by His Honor the Mayor

#97-04 PAUL HOLTZMAN, 61 Temple Street, Newton reappointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring April 1, 2005 (60-day Board action date 4/2/04)

Re-appointment by His Honor the Mayor

#98-04 JUDY FISCHBACH, 688 Walnut Street, Newton as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring April 1, 2005 (60-day Board action date 4/2/04)

Re-appointment by His Honor the Mayor

#99-04 RAY FRIDMANN, 90 Rowena Road, Newton reappointed as a member of the NEWTON HUMAN RIGHTS COMMISSION for a term of office expiring September 1, 2005 (60-day Board action date 4/2/04)

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#264-02(2) PROGRAMS AND SERVICES COMMITTEE requesting adoption of an ordinance to establish the composition, terms of office, and procedures in order to implement the Aid to Elderly Taxation Fund (to which voluntary donations may be made for the purpose of defraying the real estate taxes of elderly citizens in Newton per acceptance of G.L. c. 60 §3D.)

#55-04 ALD. BAKER, SANGIOLO & JOHNSON recommending the reappointment of Edward G. English as City Clerk/Clerk of the Board of Aldermen for a two-year term.

REFERRED TO PROG. & SERVICES AND FINANCE COMMITTEES

#548-03 ALD. GENTILE, SALVUCCI AND LENNON requesting discussion and possible City acceptance of Chapter 137 of the Acts of 2003, an Act relative to public employees serving in the armed forces. If accepted, city employees who have been granted a military leave of absence as members of the armed forces called to service after September 11, 2001 will be entitled to receive pay at regular base salary and will not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime.

#191-03 ALD. SANGIOLO requesting a discussion with the Information Technology and Clerk of the Board Departments re increasing efforts to source reduce the amount of paper to be duplicated and to disseminate more information via the internet.

- #336-98 ALD. PARKER, MANSFIELD, SANGIOLO proposing an ordinance to limit light trespass across property lines.
- #57-04 EXECUTIVE & HUMAN SERVICES DEPT. wish to report to the Board on the successful implementation of the contracting of Youth Outreach Counseling Services over the last six months.
- #137-03(3) PROGRAMS AND SERVICES COMMITTEE requesting revisions to the "Smoke-Free Newton" ordinance to prohibit smoking in private clubs".
- #367-03 ALD. MANSFIELD requesting consideration of ordinance(s) to allow enforcement of Parks & Recreation Commission regulations regarding swimming and boating at Crystal Lake.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #503-03 ALD. PARKER AND STEWART requesting discussion of the possibility of including re-importation from Canada in City of Newton health plans, as pioneered by the City of Springfield, MA.
- #60-04 PRESIDENT BAKER recommending PHILIP SHARPE, Ph.D., 119 Grasmere Street, Newton be re-appointed as an Aldermanic appointee to the BIOSAFETY COMMITTEE, term of office to expire 01/13/07 (60-day Board action date 3/20/04).
- #61-04 PRESIDENT BAKER recommending GEORGE COREY, 65 Harding Street, West Newton be re-appointed as an Aldermanic appointee to the BIOSAFETY COMMITTEE, term of office to expire 01/13/07 (60-day Board action date 3/20/04).

Re-Appointment by His Honor the Mayor

- #30-04 BARBARA SULLIVAN, 89 Arlington Street, Newton Corner re-appointed as a member of the NEWTON CHILDCARE COMMISSION for a term of office to expire on January 1, 2006. (60-day Board action date 03-05-04)

A PUBLIC HEARING WAS HELD ON THE FOLLOWING ITEM:

- #242-03 ALD. JOHNSON, SAMUELSON AND SANGIOLO requesting a discussion to determine times and places where dogs may be off leash on public grounds excluding schoolyards.
- #346-99 ALD. SANGIOLO requesting creation of an ordinance that would prohibit dogs (leashed or unleashed) from all elementary school playgrounds.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #432-02 ALD. PARKER, JOHNSON, LINSKY, LIPSITT, LAPPIN, BAKER requesting ordinance change and home rule legislation to implement a policy of indexing automobile excise tax to emissions and/or fuel economy, so low-pollution vehicles have lower taxes than those that pollute more.
- #190-03 PROGRAMS AND SERVICES COMMITTEE requesting discussion with Human Services regarding the implementation of the Senior Volunteer program.
- #158-01(2) PROGRAMS & SERVICES COMMITTEE requesting ordinance to implement increase in eligibility threshold for Clause 41A Senior Citizen Tax Deferral program.

REFERRED TO PUB FAC, PROG&SERV 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.

REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEES

- #420-02 ALD. PARKER, GERST, LINSKY JOHNSON, STEWART, LAPPIN, BRYSON & LENNON requesting local acceptance and ordinance to implement recent 41A revisions allowing expansion of tax deferral program.

REFERRED TO PUB. FAC., PROG&SERV. AND FINANCE COMMITTEES

- #94-03(4) ALD. PARKER requesting His Honor the Mayor submit Home Rule Legislation to create a separate rate structure for water and sewer rates for condominiums and apartments.
- #56-04 ALD. YATES requesting an amendment to the Rules of the Board to eliminate the requirement that Home Rule petitions be referred to the Programs & Services Committee.
- #189-03(2) BOARD OF ALDERMEN proposing amendments to the Rules of the Board of Aldermen by consolidating Real Property Reuse into another Committee.

REFERRED TO RULES SUB-COMMITTEE

- #28-04 ALD. BAKER proposing amendments to the Rules of the Board of Aldermen by consolidating Post Audit and Oversight into other committees.

- #421-02 ALD. PARKER, LINSKY, JOHNSON, BRYSON, LENNON & MANSFIELD requesting rules amendment to improve opportunity for public participation in deliberative process.
REFERRED TO RULES SUB-COMMITTEE
- #230-01 ALD. PARKER requesting an amendment to the Rules and Orders of the Board re the release of confidential documents.
REFERRED TO RULES SUB-COMMITTEE
- #44-03 ALD. STEWART proposing that the Rules and Orders of the Board of Aldermen be amended to allow a public comment period before one Board of Aldermen meeting a month.
REFERRED TO RULES SUB-COMMITTEE
- #421-02 ALD. PARKER, LINSKY, JOHNSON, BRYSON, LENNON & MANSFIELD requesting rules amendment to improve opportunity for public participation in deliberative process.
Rules Subcommittee Approved 2-1 (Johnson & Parker in favor, Lipsitt against) on 10/24/03.
- #15-04 ALD. BAKER requesting discussion and planning of upcoming committee agendas, process, future work, and how to streamline committee work on minor or routine approvals in order to allow time to focus on more major or non-routine matters.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #311-03 HIS HONOR THE MAYOR recommending the creation of a revolving fund with an expenditure limit of up to sixty-five thousand dollars (\$65,000). Said fund will be established in accordance with MGL Ch.44, Sec.53 ½. This fund will receive student parking fees and expenditures will pay the wages of campus aides and administrative salaries for the parking program.

REFERRED TO PUB. FACIL. & PROGRAMS & SERVICES COMMITTEES

- #83-03 ALD. GENTILE, BRYSON, COLETTI AND LIPSITT requesting that the Health Commissioner conduct/oversee a testing program to evaluate the air quality at Newton North High School and, if necessary, make recommendations to ensure the safety of all students and staff in the building.
- #514-03 ALD. JOHNSON requesting discussion of election process, practices and hearings with new voting machines in preparation for the March Presidential Primary.

#37-04(2) ALD. COLETTI proposing that the following **non-binding referendum** question be included as part of the proposed Special Election to be held in order to fill the vacancy for Alderman-at-Large in Ward 6: “Shall the Board of Aldermen appropriate bond funds totaling 106 million dollars plus interest for 20 years to demolish the existing Newton North High School building and construct a new Newton North High School?”

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#549-03 HIS HONOR THE MAYOR submitting the FY05-FY09 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter which requires Board of Aldermen approval of a plan to finance \$170,899,860 of new local projects over the next several years:

SUMMARY

PUBLIC WORKS (City-Funded).....	\$ 8,075,000
PUBLIC WORKS (Grant/Fee Funded).....	54,256,057
PUBLIC SAFETY.....	4,611,000
PUBLIC BUILDINGS... ..	4,555,750
SCHOOL DEPARTMENT.....	89,293,029
PARKS AND RECREATION.....	8,143,500
OTHER.....	1,965,524
TOTAL.....	\$170,899,860

Respectfully submitted,

Marcia Johnson, Chair