

SCITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, MARCH 6, 2002

Present: Ald. Johnson (Chair) Ald. Parker, Sangiolo, Coletti, Fischman, Gentile, Merrill
Absent: Ald. Lipsitt

Other Aldermen Present: Ald. Gerst, Baker, Mansfield, Basham, Linsky, Bryson

Others Present: David Mofenson, Gayle Smalley, Sandy Pooler, Peter Karg, Karen Griffey, Steve Gartrell, Elizabeth Dromey

APPOINTMENT BY HIS HONOR THE MAYOR:

#47-02 ANDREW DIBNER, 51 Beaumont Avenue, Newtonville, appointed on January 9, 2002 as a member of the NEWTON COUNCIL ON AGING for a term of office to expire on 3/31/05 (60-day Board action date 4/5/02)

ACTION: APPROVED 7-0

NOTE: Mr. Dibner joined the Committee for this discussion. He informed the Committee he was a psychologist who had retired from Boston University. Throughout his career his major interest has been gerontology. He said he had invented the Lifeline System and is now retired. Mr. Dibner has been happily involved with the Senior Center Board for five years.

Ald. Parker moved approval stating that Mr. Dibner had contributed a tremendous amount to our community and would be a fantastic addition to the Council. The Committee voted approval 7-0.

APPOINTMENT BY HIS HONOR THE MAYOR

#46-02 WILLIAM HILLIKER, 53 Maple Street, Auburndale, appointed on January 9, 2002 as member of the NEWTON COUNCIL ON AGING for a term of office to expire on 1/31/05 (60-day board action date 4/5/02)

ACTION: APPROVED 7-0

NOTE: Mr. Hilliker explained he had always been interested in services for the elderly. He previously was a Social Worker for the Welfare Department. Prior to the time the Department of Elder Affairs was formed, he coordinated services for people in their homes including home health aide services. He presently works for a state agency that provides health benefits to state employees. He was delighted to have been invited to join the Senior Center Advisory Board.

Ald. Sangiolo moved approval and the Committee voted 7-0.

CHAIRMAN'S NOTE: The Committee discussed whether the Programs and Services Committee should require re-appointees to attend a Committee meeting for their reappointment. Ald. Parker stated his position was to have reappointees in if they haven't met the current board. Ald. Merrill concurred with Ald. Parker. Ald. Fischman said perhaps it could be optional. Ald. Coletti felt it was important only for their first appointment. Ald. Sangiolo agreed appointees should come in only if the appointee wanted to come in or if a committee member has an issue with a particular reappointment. Chairman Johnson said the Committee would encourage new appointees to attend. She further stated it would be advisable to provide re-appointees with an option to attend, but not make it a requirement.

#158-01 ALD. GERST seeking Home Rule Legislation for the purpose of raising qualifying income level for the Newton 41A (Senior Citizen real estate tax deferral) program.

ACTION: APPROVED 7-0
NOTE: Gayle Smalley, Elizabeth Dromey and Steve Gartrell joined the Committee for this discussion. Steve Gartrell discussed how HUD determines low or moderate-income limits. (See attached) Mr. Gartrell explained the 80% limit is capped at the national median income. Gayle Smalley said after the meeting in January when this item was discussed, she had two thoughts. One was that there would be interest in the possibility of deferring water/sewer charges as opposed to a discount or in some cases in addition. In a city where the laws have been accepted, a person who is enrolled in the 41A-deferral program may automatically apply for the water/sewer deferral and the city must allow that. Newton has not done that.

Another question that came up was about broadening the language of the proposed special legislation. Ms. Smalley has drafted one sentence, which would allow the city to set its own income limits above \$40,000. It would still be the 41A program in all regards but the income limits could be higher by ordinance. Ms. Smalley redrafted the language to include an additional sentence: "Such ordinance may include formulas that allow partial exemptions for eligible persons who have gross receipts in excess of \$40,000."

Ald. Parker mentioned two other points. One had been mentioned by Ald. Gerst - adding flexibility to the interest rate number, which is currently fixed at 8%. Ald. Parker said that since interest and inflation rates change,

it would make sense to track that information. The second point was whether there was a need to have flexibility in the age requirement in cases of extraordinary need (when someone has lost his or her job or becomes disabled.) Ald. Parker suggested going for maximum local control.

Ald. Gerst agreed with Ald. Parker. He has discussed this proposed legislation with quite a few people and there is a great deal of interest in it. One caveat that newly potential users brought to Ald. Gerst's attention was that they are troubled by the fact that the 8% interest rate that the statute requires is considerably higher than what you can actually get and what is out there. Ald. Gerst feels the idea of allowing some flexibility change in interest rate as times change makes absolute sense and would in fact make this vehicle more attractive to many people who really could get some benefit out of it.

Ald. Baker asked about a recapture position. Ald. Parker said there is a recapture position. Gayle Smalley explained that Newton has not accepted the current state law, which is a deferral plan where a municipality would be paid when the property is sold. Ald. Baker felt it was important that the language state partial deferrals so there would be clarification if someone were less than a full participant was. Ms. Smalley explained that one of the things she tried to do in drafting this legislation was to tie it in very tightly with the existing 41A statute.

Ald. Johnson questioned how this proposal for home rule legislation would impact Ald. Parker's docket item #309-01 requesting an increase in the income eligibility level of the 30% water/sewer discount for low-income senior citizens. Ald. Parker responded that basically the idea is to make these programs address the real needs of the Newton Community. Ald. Baker asked about putting a cap in. In Ald. Parker's opinion it would be a mistake to have a cap. Ald. Merrill agreed it would better to stay away from a specific figure. Ald. Fischman asked what other cities and towns were doing. Elizabeth Dromey said she was not aware of any other city or town doing this kind of legislation. Ald. Gerst was also in agreement in not having a cap. Ald. Sangiolo agreed with Ald. Baker that some sort of cap should be put in. Ms. Smalley said if other requirements were to be considered, they should be put in the special legislation. Ms. Smalley asked if we are going to have a variable interest rate, what mechanism would we provide for people currently participating in the program. Chairman Johnson would like to have members of the state delegation come in and advise as they see a wider view and know what would pass and what would cause problems.

Ald. Parker made a motion to approve Section 1 as written. This was approved 7-0.

#45-02 HIS HONOR THE MAYOR requesting that the Board of Aldermen call a special election to present the levy limit override ballot question to the voters and set a date of April 30, 2002 for such an election.

ACTION: APPROVED 6-1 (Ald. Gentile opposed)

NOTE: Ald. Mansfield began discussion of this item by expressing his concern regarding the bottom line recommendation of how to deal with two different special elections on the same date. There appears to be cloudy questions as to how those voters in Ward 8 who have been redistricted to Ward 6; voters within Ward 8 who were re-precincted last year and residents who have registered to vote since November 6th would be accommodated if they want to vote in both elections. Another question raised was the cost of the two elections and whether there is a savings involved in running two of them at the same time on the same day.

Election Commissioner Karg has looked at ways to accommodate these voters that were in Ward 8 and were redistricted to Ward 6, Precinct 2. There are about 153 registered voters who will be affected and what is proposed by the Elections Department will be to send a letter to these voters explaining the unique situation that they are in and to also tell them they do have the right to vote in both elections. Mr. Karg still feels both elections should go on in the same day. He feels this makes sense from a funding perspective to hold them at the same time. There was a special election for a Ward 2 alderman after Tom Concannon was elected Mayor of Newton. That election was held February 7, 1995 and Mr. Karg noted that at that time there were 5,579 registered voters in Ward 2 and 928 came out to vote. There was a turnout of 16.63%. If 20% of these people voted on that day, we are possibly dealing with about 30 people.

Ald. Mansfield asked if the election for the override vote and the ward vote are on the same day, would the expected turnout be that same small percentage. Mr. Karg said it may be greater but does not know how many people in Ward 6 are really going to return to vote in Ward 8 for an alderman that technically no longer represents them. Ald. Johnson reiterated that that was the problem. Mr. Karg said the only other option talked about would be if two separate elections are considered, then everyone in Ward 8 would go out and vote twice. He questioned if that made good sense and will people in Ward 8 want to go out and vote twice. The Election Department will send out a mailing. When voters come to Ward 6, Precinct 2, they will be given a slip that tells them they are

eligible to vote in Ward 8 and encourages them to vote in Ward 8. Ald. Fischman said it is reasonable to expect that particularly in a special election, it will be a close election.

Ms. Smalley said in conversation with an attorney at the Secretary of State's office, was told the new ward lines are in effect and cities and towns have to use the new ward lines.

Ald. Baker said he is dismayed at the outcome. He feels many individuals will be inconvenienced which may have a decisive effect on the election. He felt the City should look into contesting this ruling by the Secretary of State.

Ald. Gentile asked Mr. Karg how can you make sure residents are not voting twice on the override. Mr. Karg responded by saying if they go to Ward 6, Precinct 2, and want to return to Brown, there will be a separate check in and there will be two machines that are strictly for the Ward 8 alderman race. Ald. Gentile feels this will be challenge.

Ald. Basham asked if the state has told us that the current ward lines are the ones that we must abide by. She wondered why couldn't we decide that the people who vote in the Ward 8 election live in the current Ward 8. Karen Griffey responded that law mandates these rules.

Ald. Coletti moved adoption of docket item #45-02 and the Committee voted 6-1.(Gentile opposed)

#57-02 HIS HONOR THE MAYOR requesting authorization to appropriate and expend \$86,295 from Budget Reserve for the purpose of funding the cost of a special election to present the levy limit override question to the voters.

ACTION: APPROVED AS AMENDED 7-0

NOTE: Karen Griffey joined the Committee for this discussion. She said salaries for poll workers, (\$10.00 per hour) training, postage, printing costs, police detail must all be considered. This amount can now be reduced by \$14,000 to \$71,993. Residents will be sent out a mailing to alert residents of voting dates.

#77-02 HIS HONOR THE MAYOR requesting authorization to transfer \$30,000 from the Assessing Personal Services to the Elections Department Personal Services and Expense budgets to fully fund the Elections Department budget for FY'02.

ACTION: APPROVED 6-0-1 (Gentile abstaining)

NOTE: Sandy Pooler was present and explained there were costs involved with the remainder of Mr. Licarie's salary, Karen Griffey's salary as well as money budgeted for consultant Peter Koutoujian. Transferring \$30,000 from Assessing will fund the Election Department budget. Ald. Sangiolo moved approval of this item. The Committee voted approval 6-0-1(Gentile abstaining)

#113-01(6B) HIS HONOR THE MAYOR requesting an appropriation in the amount of \$150,000 from Free cash for the purpose of supplementing the FY02 School Department budget.

ACTION: APPROVED 7-0

DATE: Sandy Pooler joined the committee for discussion of this item. He said that when the entire budget was passed in the spring, there was a gap between what the Mayor had asked the board to appropriate and what the board had voted to appropriate and what the School Committee was looking for in its final budget. There were going to be a number of ways to close that gap and get it down to zero. In the spring, the state was promising the City a fairly large increase in Chapter 90 money. The hope was that there would be a net increase somewhere in the range of approximately \$250,000 to \$350,000. He further explained that the DPW budget would be reduced by \$150,000 for basically the kind of things Chapter 90 money could be used for with the result of DPW having a net increase. Since that didn't happen, Mr. Pooler said an item had been docketed to take that money out of DPW. The board, through several committees, said they were not pleased with that approach. The decision was to leave the DPW budget in tact, look to the CIP and cancel some projects in the CIP and use that free cash money as a source instead.

#78-02 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$200,000 from Free Cash for the purpose of supplementing the FY02 School Department budget. These funds are necessary because it is not likely that anticipated State METCO funding will be received.

ACTION: APPROVED 7-0

NOTE: Mr. Pooler explained that the City had been promised an increase in Metco funding (approximately \$600,000) When the state budget finally passed in November, it became apparent that that money was not coming in. From November until January and early February, Sandy Guryan and Sandy Pooler talked many times to look at different components of the school budget and examine what the real needs were. One of the things focused on was the health insurance budget. Mr. Pooler monitors health insurance enrollments every month on both the city and school side. It

became apparent that there was more money in the budget for health insurance (approx. \$400,000) than they would really use for the year. Some of that money could be used in place of the Metco money they were to receive. The request is for an appropriation for \$200,000 from free cash to make up that difference.

Ald. Sangiolo expressed concern that money was being taken out of DPW and CIP for this docket item. Mr. Pooler said the money would not be from the DPW operating budget. He further explained that there are two sets of projects in the CIP that were DPW related. One was the repair of some private ways. Ald. Sangiolo reiterated that it was important for her to know what this money is slated for. Ald. Johnson also expressed her concern regarding money for acceptance of private ways. The Committee voted to approve 7-0.

The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Marcia Johnson, Chair
Programs and Services Committee