

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS & SERVICES COMMITTEE REPORT

WEDNESDAY, FEBRUARY 7, 2001

Present: Ald. Parker (Chair) Ald. Baker, Sangiolo, Coletti

Other Alderman Present: Ald. Lipsitt, Gerst, Mansfield

Also Present: Fran Towle (Commissioner of Parks & Recreation) Michael Baseman (Assistant City Solicitor) Michael Clark (Associate Parks & Recreation Commission Member)

# 22-01        PRESIDENT LIPSITT requesting on January 4, 2001 the re-appointment of Joanne Speidel, 100 Norwood Avenue, Newtonville 02460 as Family Child Care Provider representative to the Newton Child Care Commission; for a term beginning January 1, 2001 and ending January 1, 2003 (Board action date 03-17-01).

ACTION:        APPROVED 4-0

NOTE:           The Committee was joined for this discussion by the appointee Joanne Speidel. She said she is one of the organizers of the annual Child-Care Commission Jeopardy Fund Raiser and that they give out in grants about \$40,000 each. year. Ald. Coletti moved approval of her re-appointment which passed originally 3 to 0 but later we were joined by Ald. Baker and upon reconsideration it became a 4-0 vote.

# 23-01        PRESIDENT LIPSITT requesting on January 4, 2001 the re-appointment of Alan DeCew, 260 Chestnut Street, West Newton 02465 as at-large representative to the Newton Child Care Commission; for a term beginning January 1, 2001 and ending January 1, 2003 (Board action date 03-17-01).

ACTION:        APPROVED 4-0

NOTE:           Mr. DeCew joined the committee for the discussion of his reappointment. He has been on the Commission since 1989. He is particularly interested in the workings of the after-school programs that exist in the schools and as he pointed out at the mercy of the schools in terms of cooperation for making them work well. He stressed the importance of working closely with the School Department, in particular with the schools in question to make sure there is adequate space and access for the after-school programs. He said a particularly excellent model of cooperation is how the after school program works at Zervas and that he would like to see that type of model adopted at other schools. He also pointed out that because the after school spaces in public schools are being entrusted to private

groups of parents, it is important that they not limit the size of the after-school programs too much below demand. He said that long waiting lists were problems in some areas and that equity is an important issue that he is working on. Ald. Sangiolo moved approval of his appointment and that motion prevailed unanimously 4-0.

#525-00      HIS HONOR THE MAYOR re-appointing on December 6, 2000  
CAROLYN DARACK, 1672 Beacon Street, Waban, to the Advisory  
Council of Health; for a term of office to expire on February 1, 2003.  
(Board action date: February 16, 2001)

ACTION:      APPROVED 4-0

NOTE:      Ms. Darack informed the Committee that the Health Department and the Advisory Council have dealt with a great many important health issues in the community recently including West Nile Virus, which was a major concern to her and to the Health Department in Newton because the Mass. Dept. of Public Health had provided no guidelines on how to combat the virus and how to respond to the threat of the virus, so that every community in the state was on its own. The Commissioner decided use insecticide to control mosquito populations in selected areas, which decision she and the Advisory Council concurred with retroactively. She said that they didn't have a chance to get involved until after the decision was made, but they then endorsed the decision that was made by the Health Commissioner. Ms. Darack also said they are also working to have a nurse in every school and they are rapidly approaching that goal, one school remaining, she believes and the Department has also dealt with tobacco control issues. In particular, she discussed the issue of tobacco control efforts in restaurants and said we made some progress in keeping our restaurants safe for breathing of clean air, although she did mention that certain facilities in the City are exempt [there are two classes of waivers from the tobacco control ordinance, one dealing with partitioning of smoking sections that do not infiltrate into the non-smoking areas of restaurants and second a waiver for "tavern-style" establishments that are too small to partition].. She also mentioned the issue of playground safety. Professionally, before she retired, Ms. Darack worked in the public health field and she served on the advisory council for six years and also is a co-founder of a public health museum in Tewksbury. Ald. Coletti moved approval, which motion prevailed originally by a 3-0 vote and later upon reconsideration by a 4-0 unanimous margin.

# 44-01      PRESIDENT LIPSITT offering a RESOLUTION declaring March  
ALTERNATIVE TO PESTICIDES MONTH in Newton.

ACTION:      APPROVED 4-0

NOTE:      This is a resolution the board has adopted each year and several members of the Green Decade Coalition were present for the Committee's

discussion. Ald. Sangiolo, because the Board has approved this every year, moved approval. The only discussion of the motion was why March (as opposed to a different month). The reason given was March is the month people are making garden planning decisions for the spring and April or May would be too late and February would be too early, in terms of the likely chemicals put in as part of a landscaping plan. The Committee voted 4-0 in favor of this item.

- #508-98(3) ZONING & PLANNING COMMITTEE recommending that ARTICLE I of the Board of Aldermen Rules and Orders be amended by adding a new subsection to Section 3, Referral of Business to Committees, to reflect the ability of the Board sitting as a special permit granting authority to hire outside consultants pursuant to and in accordance with MGL Chapter 44, §53G.

ACTION: APPROVED 4-0

NOTE: Michael Baseman of the Law Department joined the Committee for this discussion. The Committee made one amendment to the item, which was to add a clarification regarding the procedure during Full Board meetings, that if the Full Board needs more information that the motion to request additional information should be made in conjunction with a recommittal to the Land Use Committee. That amendment was passed unanimously as was the item, with a 4-0 vote to approve.

**REFERRED TO PROG & SERV AND FINANCE COMMITTEES**

- # 46-01 HIS HONOR THE MAYOR requesting authorization to appropriate and expend \$333,333 from Free Cash for the purpose of funding current and future snow and ice and tree emergency expenses in the Parks and Recreation Department.

ACTION: APPROVED 4-0

NOTE: This item was presented by Parks and Recreation Commissioner Fran Towle, who explained that the snow removal money was necessitated by the recent snow storms and also by tree emergencies. There had been seed money in those accounts, but far too little (as there always is) for dealing with the actual amount of snow and tree limbs that we have to confront each year. After this appropriation is granted, there will be enough money remaining for one 2 to 4 inch storm, according to Ms. Towle and also the last storm that we just had earlier this week was 10 1/2 inches. After this appropriation, there will be \$29,000 left for tree debris removal. A number of aldermen expressed concern about the state of sidewalks in the city, in particular, Board President Brooke Lipsitt suggested the sidewalks next to city parks are rarely plowed and that since we asked the public and business owners to clear the sidewalks abutting their properties, the City ought to set a good example and clear our sidewalks.

Ald. Sangiolo moved approval. Ald. Coletti expressed his pleasure that much of the snow removal was done in-house, but also expressed concern that there was no removal of snow — just pushing of snow from one place to another — on some sites, so we will effectively have to pay for its removal twice. There was also concern that some sidewalks were blocked, including the one on route 9 near the Elliot Street T Station, which is causing people to walk in the street. Also, the city may be pushing snow onto some street corners, but even though the streets themselves are plowed, the corners are blocked so that people end up walking in the streets. Another point raised was that many of the sidewalks are plowed inadequately and there is a sheet of ice remaining. With all those caveats, the committee moved approval of this appropriation by a unanimous 4-0 vote.

#### TREE PRESERVATION INFORMAL REPORT

**NOTE: The Committee then accepted an informal report on the implementation of the tree ordinance. While there was no docket item yet filed, committee members felt that it was important that we stay informed regarding the implementation of recently inacted legislation and decided to file a docket item requesting a formal report for discussion at a future meeting.**

Parks and Recreation Commissioner Fran Towle and Assistant City Solicitor Attorney Baseman provided some documents regarding the enforcement of the tree ordinance. There have been eight applications thus far for tree removal under the ordinance. There is currently \$1,200. in the tree planting fund. There has been one violation, which was at White Oaks in Waban, and would have had to pay \$16,000. but instead agreed to plant 50 trees on city land which would have cost the city \$400. a tree so the City in effect got \$20,000 in value. Committee members agreed to docket an item requesting discussion of implementation of the tree preservation ordinance with the Commissioner of Parks and Recreation and other relevant city officials. The new docket item is for discussion of Section 20-30 through Sec. 20-39 of the Revised Ordinances (ord. V-275). That item was filed by Committee members present and will be discussed at a future meeting.

# 73-00      PRESIDENT LIPSITT transmitting the request of Parks and Recreation Commission to discuss with the MWRA the possibility of developing the Sudbury Aqueduct for the benefit of Newton residents.

ACTION:      APPROVED 4-0

NOTE:        The Committee was joined for discussion of this item by Associate Parks and Recreation Commission member Michael Clarke and by Board President Brooke Lipsitt. Dr. Clarke mentioned to the Committee members that the MWRA official willing to meet with City representatives, Tom Lindbergh, is being considered by MWRA officials for appointment to a new position, community liaison. Committee members, upon the recommendation of Dr. Clarke, decided it would be appropriate to set up a special task force to develop a comprehensive plan

for both aqueducts. President Lipsitt suggested that the Task Force should be formalized with a resolution to the Mayor. After some discussion, the Committee decided that membership of the Task Force would include representation from the Board of Aldermen, the Mayor's office, the Parks and Recreation Department, the Parks and Recreation Commission, the Law Department, the Planning Department, the Conservation Commission, and from the Newton Conservators. Once it has recommendations, it should meet with the MWRA and other relevant landowners about implementing those recommendations. Ald. Coletti suggested that the group be asked to report back to the Programs and Services Committee within six months and that the Committee develop some language supporting preservation and access to the open space of the aqueducts and Ald. Coletti also suggested the phrase "public enjoyment." The Chair took responsibility for codifying the Committee members' suggestions into a draft resolution, which is attached.. The resolution was approved unanimously 4 in favor and 0 opposed.

**REFERRED TO PUBLIC FACILITIES AND PROGRAMS AND SERVICES**

#510-00      ALD. GERST seeking a report from the departments of Public Works and Parks and Recreation on the operational status of water fountains in city parks and schoolyards.

ACTION:      HELD 4-0

NOTE:        The Committee was joined for discussion of this item by Parks and Recreation Commissioner Fran Towle and Ald. Gerst, the sponsor of the item. Parks and Recreation Commissioner Towle distributed a chart outlining the status of the various water fountains throughout the City parks (see attachment), many of which are non-functional or missing entirely. The extent of repairs needed varies greatly: many of them require major work on pipes, some of them much less significant work, maybe spigots or minor work to get them back to being functional. Committee members requested that Commissioner Towle, in conjunction with other City officials, provide cost estimates on what would be involved in repairing or replacing the damaged fountains and potentially adding new water fountains to various parks in the City, and that information be provided in time for the discussion of the Parks and Recreation Department budget. Commissioner Towle agreed that she would have that information available. Ald. Baker suggested that perhaps we could do some fundraising and allow people or organizations to sponsor water fountains and Ald. Coletti suggested we might contact some of the youth sports leagues to fundraise. Ald. Baker moved hold until the budget discussion and hold prevailed, 4 in favor and 0 opposed.

**REFERRED TO PUB.FACIL. & PROG. AND SERVICES COMMITTEE**

#259-00      BOARD OF ALDERMEN requesting report from the Commissioner of Parks and Recreation on the status of renovations and construction at Crystal Lake's Levingston Cove, Newton Center.

ACTION:      NAN 4-0

NOTE:      The Commissioner of Parks & Recreation joined the committee for this discussion as did Vice-President of the Board and Ward 6 Alderman George Mansfield. The Commissioner presented the Committee with a diagram indicating the work that was in progress on the site and distributed to the Committee two documents. One is titled Newton Parks and Recreation Department, February 7, 2001 with a list of modifications for Levingston Cove, which lists 12 items (see attachment). Ald. Mansfield pointed out that item 12 is no longer relevant, but the other 11 still are and the Commissioner also distributed a memo to members of the Public Facilities Committee and Programs and Services Committee also dated Feb. 7 referencing docket item #259-00 and included in the memo was a 13 point memo to the construction company which is working on this project and that memo is also included. Committee members expressed great pleasure, as did other aldermen present, at the quality of the park that is finally being built after obviously a somewhat acrimonious process at times. There was consensus that we will have an excellent, well designed public space. Ald. Coletti asked how much the project would end up costing over the original price. The answer, according to Parks and Recreation Commissioner, was an additional \$20,000. over the original \$127,000 budgeted from various sources. Ald. Baker suggested the City commend the contractor for his flexibility and for a job well done, although the Committee members felt it should wait until the project is actually done, but everyone agreed that this contractor had been very flexible in dealing with changing requests from his client, the City of Newton. Ald. Baker moved NAN on the item, which was clarified to mean "no further action necessary," since a great deal of work had been done on this item. The motion prevailed 4 in favor, 0 opposed.

#346-99      ALD. SANGIOLO requesting creation of an ordinance that would prohibit dogs (leashed or unleashed) from all elementary school playgrounds.

ACTION:      HELD 4-0

NOTE:      Ald. Sangiolo informed the Committee members that Ald. Johnson is spearheading this effort and is not ready for committee consideration and that Ald. Johnson should be consulted before the item is scheduled again to find out when it will be ready.

**REFERRED TO PROG & SERV AND FINANCE COMMITTEES**

# 45-01      PRESIDENT LIPISTT recommending review of Sec 4-21 of the Revised Ordinances, 1995, re compensation level of the Clerk of the Board of Aldermen (Ord V-134, 10/6/97).

**ACTION:**      APPROVED 4-0

**NOTE:**      President Lipsitt presented information on the City Clerk/Clerk of the Board's salary relative to other department heads and pointed out that the City Clerk/Clerk of the Board had not received an increase for a two year period and the proposed ordinance (required because the City Clerk/Clerk of the Board's salary is set by ordinance) includes three step increases, the first is 10% over a two-year period and then two additional increases. (See attachment.) Committee members had some discussion of parity of the City Clerk/Clerk of the Board position with other department heads, and also whether the City as a whole and the Board of Aldermen in particular would be looking at putting department heads and other City employees onto more a more of a merit-based pay system. Ald. Coletti expressed the view that the three years of large raises that most department heads received were a prelude to no further increases except based on merit and he thought that would be adhered to, and so with that, Ald. Baker moved approval and the increase of City Clerk/Clerk of the Board salary were approved unanimously 4 in favor, 0 opposed.

Respectfully submitted,

Ken Parker, Chair