

CITY OF NEWTON

IIN BOARD OF ALDERMEN

PROGRAMS & SERVICES COMMITTEE REPORT

WEDNESDAY, SEPTEMBER 5, 2001

Present: Ald. Parker (Chairman) Ald. Merrill, Johnson, Tattenbaum, Baker, Sangiolo

Absent: Ald. Coletti, Gentile

Also Present: Doug Dickson

#227-01 HIS HONOR THE MAYOR reappointing on June 11, 2001 the following individuals to the NEWTON COMMONWEALTH GOLF COURSE FOUNDATION for a term of office expiring 07-30-04.
(Board Action date 08-17-01)

A. Thomas Elkind
29 Wamesit Road
Waban, 02468

B. Francis Rice
20 Vista Avenue
Newton, 02466

ACTION: APPROVED 5-0
NOTE:

Mr. Rice joined the Committee for this discussion at 8:15. He and Mr. Elkind arrived had arrived at 7:45. Mr. Elkind was not informed that the meeting would start at 8:15 and had already left. Mr. Rice spoke on behalf of both applicants and the Committee decided to allow that, as a result of the miscommunication that had taken place. Mr. Rice said that the City lost all 18 greens for a two-month period due to last winter's weather and, therefore, the course took a slight financial loss this year. It opened the second week of July fully. Usually the gross for the year is \$1.2 million. This year it was only \$800,000. He said he had another bomb for the Committee: a 200 ft. sewer pipe that had previously broken on the property will need to be totally replaced and he hopes it is done between November and April, so as not to disrupt the golf season next year. He also said they still need to fix the damaged wall that was damaged in the process of repairing the pipe last time and he estimates that will be about \$15,000. It has going out to bid and also they will need \$700,000 to replace the sprinkler system, which they are attempting to do. The reappointments were approved 5 in favor, 0 opposed with Ald. Sangiolo not voting.

#40-01(2) PROGRAMS AND SERVICES COMMITTEE requesting a report on the status of repairs and improvements to the Newton Commonwealth Golf Course.

ACTION: HELD

NOTE: Ald. Merrill said we had the report on the status of repairs to the Newton Commonwealth Golf Course. Ald. Baker said that while we had a report from the Golf Course Committee, we hadn't heard from the Public Works Department with respect to the repairs to the pipe and he wanted to hear from them, so Ald. Baker moved hold for purposes of hearing from Commissioner Rooney about the status of those repairs to the pipe.

#229-01 HIS HONOR THE MAYOR appointing on June 11, 2001 the following individuals to the URBAN TREE COMMISSION for a term of office expiring 07-30-01. (Board action date 08-17-01)

A. Jacob Jacobson
91 Exeter Street
Newton, MA 02465
HELD 5-0

B. Fran Towle, Commissioner of Parks & Recreation
70 Crescent Street
Auburndale, MA 02466
APPROVED 5-0

C. Philip Shabecoff
148 Warren Street
Newton, MA 02459
NAN 5-0

NOTE: (#229-01C.) Philip Shabecoff has moved to Brookline. Ald. Tattenbaum moved NAN, which prevailed 5 in favor, 0 opposed. Ald. Sangiolo not voting.

41-01 HIS HONOR THE MAYOR re-appointing on January 3, 2001 DIANE TABOR, 329 Lexington Street, Auburndale, to the Newton Child Care Commission for a term expiring January 1, 2003 (60-day Board action date: 4-6-01).

ACTION: NAN 5-0

NOTE: Diane Tabor no longer wants to serve on the Child Care Commission and the Committee voted NAN 5-0 on this item.

REFERRED TO PROGRAMS & SERVICES, ZAP & FINANCE COMMITTEES

64-01 ALD. PARKER, M. LIPOF, YATES, TATTENBAUM, SANGIOLO, BAKER, MANSFIELD, JOHNSON, SAMUELSON, MERRILL requesting discussion of possible implementation of the Massachusetts Community Preservation Act in Newton.

ZONING & PLANNING NAN 7-0 on 6-11-01
FINANCE APPROVED on 07-23-01
PROG. & SERVICES HELD on 6-6-01

REFERRED TO PROGRAMS & SERVICES, ZAP & FINANCE COMMITTEES

#64-01(3) PROGRAMS & SERVICES COMMITTEE recommending ordinance to implement Community Preservation Act in Newton.

ACTION: HELD 6-0

NOTE: The Committee was joined for discussion by Associate City Solicitor Gayle Smalley and by the Newton Community Preservation Alliance Representatives including Doug Dickson and Josephine McNeil among others and also by opponents of the Community Preservation Act, Len Mead and George Foord. Associate City Solicitor Gayle Smalley gave some background on the options, which are attached to the report. There were basically three issues remaining to be resolved: 1) the composition of the CPA Committee (including whether they have any particular skill sets); 2) the duration of the term for CPA Committee members; and 3) what the appointing authority will be for the Committee.

Doug Dickson, speaking on behalf of the Newton Community Preservation Alliance, said the recommendation (attached) is for four citizens, one representing each of the four interest housing, open space, recreation, and historic preservation. They also wanted to have a lawyer, a finance professional, an architect, and a real estate professional on the Committee, but the advocacy associations were their primary interest.

The Committee then took input from the public.

Julia Malakie of 50 Murray Road said she would like to see the representatives elected. Anna Marie Abernathy of Islington Road said that while Committee members had referred to the Newton Community Preservation Alliance proposal as a “mirror image” of the four statutory positions (exclusive of the Planning Director), the positions are not really mirror images as they aren’t necessarily advocates for the areas that correspond to the four areas just because they are appointed from institutional bodies with similar interests.. For example, a member of the Housing Authority could prefer to spend funds on open space preservation rather than affordable housing.

Jim Sullivan of 47 Boylston Street asked why nine members were needed. He suggested seven members would be preferable— the five statutory members plus two additional members. He said that having any credential requirements for the additional citizens and because citizens with no particular interest or skill could provide a good perspective.

Mr. Dickson said it is possible that the skills could be found among the first five statutory appointees. For example, one of them might be a lawyer, one might be a real estate professional, etc. Therefore, it might not be necessary for those skills to be found among the remaining four. He added that the two other recommendations of the Alliance are that the process involve the Mayor as the appointing authority with the Board of Aldermen as the approval authority and that there be three-year staggered terms.

Josephine McNeil, also a member of the Newton Preservation Alliance, and a resident of Prospect Street said that she thinks having the combination of advocacy and experience will make things happen and without advocates on the body, it might not do much. She has seen well-intentioned groups not do a lot because they didn't have that kind of focus. She also thought there would be a long learning curve of people who don't have a background in one of those areas.

Ald. Merrill said he feels it is important to get at-large citizen participation. Ald. Baker moved approval of the coalition recommendation. Ald. Johnson said she opposed the motion. She wants broader citizen representation. Ald. Baker said he thinks it is important to have four substantive advocacy areas but the skills are less essential. Ald. Baker says he wants to get away from specifying professions.

Ald. Parker suggested that it would be valuable for the Committee to try to achieve a consensus on this and Ald. Baker, seeing that his motion wasn't enjoying a consensus support changed his motion from approval of the Alliance's recommendation to a motion to hold, so that there could be further discussion. The Chair rescheduled the item for the next meeting. The item was held 6-0. The Committee also had some input from the Law Department. Associate City Solicitor Smalley pointed out that there may be a need for making the five statutory positions one-year terms so people in those positions could change, even if the Committee decides on three-year terms for the other positions.

#336-98 ALD. PARKER, MANSFIELD, SANGIOLO proposing an ordinance to limit light trespass across property lines.

ACTION: HELD

NOTE: Gayle Smalley of the Law Department also joined the Committee for discussion of this item. The item had been recommitted by the full board for more work. The Chair related that Ald. Gerst had expressed some concerns about the clarity of the item and the strength of the requirement that the City comply. Other members of the Committee commented that

they they had not heard from colleagues about specific concerns. Several committee members were of the opinion that people weren't clear exactly on what the ordinance would do.

Ald. Baker said he is persuaded that there are enough situations where there are problems that we need this ordinance, but he wants more of a guidebook to make clear what the lighting standards are.

Ald. Johnson thought it would be helpful if the Committee and the Board were more aware of what the impact on specific businesses would be. Several members of the committee volunteered to help put together information that would clarify the impact of the ordinance and its implications.

Ald. Baker agreed to work with the Planning Department to work out better and more extensive diagrams of recommended lighting fixtures so there could be a best lighting practices guide.

Ald. Parker volunteered to put together a fact sheet and a Q&A sheet about the ordinance and Ald. Merrill said that while he doesn't currently support the ordinance, his back is not to the wall and he will listen to the arguments as to whether it is necessary or not. Associate City Solicitor Gayle Smalley said that Dave Tannozzini is a good city resource for questions about lighting issues. Ald. Baker moved held and the item was held 5 in favor, 0 opposed with Ald. Tattenbaum not voting.

Respectfully submitted,
Ken Parker, Chair