

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE REPORT

WEDNESDAY, NOVEMBER 18, 2015

Present: Ald. Ciccone (Chair), Johnson, Cote, Harney, Schwartz and Lipof

Absent: Ald. Yates and Fuller

City Staff: Captain David MacDonald, Newton Police Department

#326-15 HIS HONOR THE MAYOR in accordance with Chapter 279 of the Acts of 1992 and Sec. 3-3 and 3-4 of the City Charter, appointing CAPTAIN DAVID MACDONALD as Chief of Police, appointed November 16, 2015, effective November 30, 2015. [11/16/15 @ 3:39 PM]

ACTION: **APPROVED 6-0**

NOTE: Captain David MacDonald joined the Committee for discussion on this item.

Captain MacDonald said that he has been with the Newton Police Department for almost 23 years and is excited to move forward with this opportunity. He then said that Chief Mintz should be commended for his great work including preparing for his successor.

Chair Ciccone stated that Captain MacDonald has had a distinguished career with the Newton Police Department. Amongst many previous police positions, experience, education and training Captain MacDonald also had the role of Executive Officer for 2 ½ years and as a narcotic officer which is important in today's society.

Committee members were pleased and excited with this appointment and expressed they have great confidence in his performance and look forward to working with him. They then stated that members of the Police Department are also excited. They agree that Chief Mintz did a great job. Continuity is important and great for the City and the Police Department.

Committee members suggested that Captain MacDonald return to this Committee several times per year to update them if necessary addressing any concerns, priorities or needs. Chair Ciccone suggested that Captain MacDonald return in ninety days.

Without further discussion, Chair Ciccone stated Captain MacDonald was an excellent choice. Therefore, he made the motion to approve this request appointing him as Chief of Police. Committee members agreed 6-0.

#311-15 STEVEN J. DONATO, 1211 Washington Street, Trustee of the 337 Washington Street Realty Trust, appealing the Approval of TC2-15 Traffic Council Decision on October 1, 2015: All existing Peabody Street resident permits and visitor passes will expire on December 31, 2015. A maximum of two (2) visitor permits will be available per dwelling unit for each address on Peabody Street, to be effective beginning January 1, 2016. A note will be added to TPR-202 for Peabody Street: “Beginning January 1, 2016, a maximum of one (1) visitor permit will be made available to residents of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street. These visitor permits are to continue to be made available on an annual basis, but only to residents living in these dwelling units who have a current Peabody Street resident permit or visitor pass. Resident of dwelling units located on corner lots which are contiguous to a lot that borders Peabody Street, but who do not currently have a Peabody Street visitor permit or resident sticker will not be entitled to obtain one.”
(Ward 1) [Appeal filed 10/21/15]

ACTION: **NO ACTION NECESSARY 5-0, Ald. Cote not voting**

NOTE: Chair Ciccone stated that a letter was received today from Attorney Stephen Buchbinder from Schlesinger and Buchbinder, LLP, requesting the appeal of Traffic Council decision #TC2-15 be withdrawn. The letter is attached to this report.

Without discussion, Ald. Johnson moved no action necessary. Committee members agreed 5-0, Ald. Cote not voting.

REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES

#85-15 ALD. SANGIOLO, requesting discussion with the Director of Transportation and the Transportation Coordinator to determine whether a fee could be imposed on all residents who own automobiles in the City. Such fee to be placed into a transportation fund to pay for roadway and sidewalk improvements. Residents would get a parking sticker in return for each automobile they have registered with the City that would enable them to bypass parking restrictions in the City except for Tow Zones and Fire Hydrants and any other emergency zones determined by the Police and Fire Departments. [03/12/15 @ 10:38 AM]

FINANCE VOTED NO ACTION NECESSARY 7-0 on 11/09/15

ACTION: **NO ACTION NECESSARY 6-0**

NOTE: Chair Ciccone stated it was the intent to vote no action necessary on this item. He then said that the Finance Committee voted no action necessary with the understanding that if the Public Safety and or Public Facilities Committees voted otherwise, it would be returned to the Finance Committee for discussion.

Chair Ciccone then stated that today, Ald. Sangiolo requested that this item be referred to the 2016-2017 City Council for discussion.

Ald. Harney said that Ald. Sangiolo docketed this item on behalf of several constituents. As requested, he will support this item being referred to the 2016-2017 City Council for discussion.

Without further discussion, Ald. Johnson moved no action necessary. Committee members agreed 6-0.

The following two (2) items were voted No Action Necessary by Ald. Johnson without discussion. Committee members agreed 6-0.

#309-14(2) ALD. JOHNSON, requesting a discussion regarding changes that may need to be made to Traffic Council. This would include intent and purpose of the council, criteria and process to determine the referral of Traffic Council petitions to be discussed and acted upon Administratively, by Traffic Council or Public Safety & Transportation Committee. [03/05/15 @ 9:23 PM]

ACTION: NO ACTION NECESSARY6-0

#309-14 ALD. JOHNSON, requesting a discussion re changes that may need to be made to the membership of the Traffic Council to make it more effective, efficient, and representative of the community. [07/28/14 @ 9:20 AM]

HELD 7-0 on 09/17/14

HELD 7-0 on 03/04/15

ACTION: NO ACTION NECESSARY6-0

The following five (5) items were referred without discussion to the 2016-2017 City Council. Committee members agreed 6-0.

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#288-15 HIS HONOR THE MAYOR submitting the FY 2017-FY 2021 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/01/15 @ 1:53 PM]

#326-14 ALD. ALBRIGHT, requesting a discussion and a plan to replace all Newton parking meters within two years. [08/19/14 @ 9:16 AM]

HELD 5-0 on 09/17/14, Ald. Harney and Lipof not voting

HELD 6-0 on 02/04/15, Ald. Fuller and Johnson not voting

HELD 7-0 on 03/04/15

HELD 5-0 on 10/07/15, Ald. Fuller not voting

#137-11 ALD. DANBERG AND FULLER requesting possible changes to City Ordinance 19-191, Parking Meter Fees, to require a minimum purchase at long-term parking meters in order to discourage short-term use. [04/26/11 @ 9:52 AM]

HELD 6-0 on 05/18/11, Ald. Freedman not voting

HELD 8-0 on 01/18/12

HELD 5-0 on 01/23/13, Ald. Fuller not voting

#72-14 ALD. CICCONE & JOHNSON, requesting a discussion of the installation of a possible bike lane on Walnut Street between Otis Street and Commonwealth Avenue. [03/03/14 @ 8:17 AM]

HELD 7-0 on 03/19/14

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

At approximately 8:30 pm, the Committee adjourned.

Respectfully submitted,

Allan Ciccone, Jr. Chairman



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#326-15

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November 16, 2015

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
NEWTON CITY OFFICE
2015 NOV 16 PM 4:25
DAVID A. OLSON, CMD
NEWTON, MA 02459

Ladies and Gentlemen:

Pursuant to Section 3-3 of the City Charter I have this day appointed Captain David MacDonald as the City of Newton Chief of Police to succeed Chief Howard Mintz upon his retirement on November 30, 2015.

Captain MacDonald has been with the Newton Police Department for more than 20 years, having served as the Executive Officer in Chief Howard Mintz's office for the past 2 and a half years.

Captain MacDonald's integrity and leadership ability have made him an invaluable member of our police department and these skills will make him an exceptional Chief of Police. We were fortunate to have so many great candidates and we look forward to working with him to keep our community one of the safest in the country.

Thank you for your consideration of this matter.

Very truly yours,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

CURRENT POSITION-EXECUTIVE OFFICER

The Executive Officer reports directly to the Chief of Police and is the key liaison person with all internal system managers. As such, the Executive Officer ensures that the Chief has the necessary resources and data on which to base management decisions. A review and analysis of matters of fiscal management and assistance with the planning and preparation of the annual budget is key among these duties.

Within the Office of Chief of Police, the Executive Officer is responsible for staff management. Purchasing, payroll and police detail billing and collection are among the day to day duties that are overseen. Working with the Police Detail Clerk and City Solicitor, the Executive Officer has revised the Standard Operating Procedure on Detail Billing and Collection. The Executive Officer and the Solicitors Office work closely to collect on outstanding bills, communicating on this issue with the Comptroller on a quarterly basis.

The Executive Officer acts as the departmental advocate in Step 2 Grievances from the unions, deciding on the merits of the grievance by interpreting contract language. Throughout the grievance process, the Office of City Solicitor is worked with closely in order to ensure compliance with grievance protocols and prepare for possible arbitration. In preparation for Collective Bargaining, the Executive Officer works with and advises the City Solicitor and Executive Office and is a working member of management's bargaining team.

In the Chief's absence, the Executive Officer represents the Chief and/or department at various functions/meetings. The Executive Officer will also keep abreast of all matters of policy, operations, personnel and discipline that are implicated during said absence in order to properly brief and advise the Chief upon return to duty.

PRIOR POLICE POSITIONS

- **Accreditation Manager;** Monitored and maintained the department's National Accreditation status in preparation of re-accreditation. December 2012-July 2013
- **Lieutenant Patrol Bureau;** Responsible for management of police and civilian (dispatch) personnel on the evening and night shift. May 2005-December 2012
- **Supervisor(Sgt.) Suburban Middlesex County Drug Task force;** Supervised 12 officers from 8 jurisdictions in the investigation and prosecution of narcotic offenders. Hosted quarterly meetings for involved Chiefs of Police and assisted in annual Byrne Grant preparation. April 2001-May 2005.
- **Patrol Sergeant;** First line supervisor for all activities of officers assigned to Patrol. April 1999-April 2001.
- **Investigator (Patrolman) Suburban Middlesex County Drug Task Force;** Responsible for the investigation and prosecution of local narcotic offenders. Strategies included the preparation of affidavits in support of search warrants, surveillance, undercover drug purchases and interview and interrogation. May 1996-April 1999.
- **Patrolman;** Worked in the 2nd Platoon nights providing public safety by responding to calls for service, enforcing motor vehicle law and inspecting property. Worked as a Dispatcher and call-taker. February 1993-May 1996.

RELEVANT EXPERIENCE AND EDUCATION

- Member of Newton Police Department Civil Disorders Unit (CDU), 1995-2001.
- Selected as original member of Mountain Bike Unit (Patrol Bureau) 1995.
- New England Narcotic Enforcement Officers Association (NENEOA) Board of Directors, 2001-2007.
- Executive Board Member of the Newton Superior Officers Association (NPSOA) 2012-2013
- Massachusetts Association of Women in Law Enforcement (MAWLE) 2013, 2015
- University of Massachusetts, Amherst. Bachelor of Arts, Political Science 1988.
- Western New England College. Master of Science, Criminal Justice Administration 1998.

- FBI-Leeda Executive Development Association, *Leaders Without Titles*, May 2015
- FBI-Leeda Executive Development Association, *Executive Leadership Institute*, April 2015
- Municipal Police Institute, *Internal Affairs*, March 2015
- Municipal Police Institute, *Accountability and Discipline*, March 2015
- International Association of Chiefs of Police conference included sessions in; *Tactical Operations Liability, Police Misconduct, Managing Problem Employees, Predicting and Preventing Problem Employees, Employment Law, Supreme Court Update*, October 2014
- Municipal Police Institute, *Labor Relations/Injured on Duty*, December 2013
- Municipal Police Institute, *Executive Development-Budgeting*, October 2013

COMMUNITY INVOLVEMENT

- Varied youth sports coached in the City of Quincy between 2006 and 2014.
- Sunday School Teacher at St. John The Baptist in Quincy, 2012-2014
- Assistant wrestling coach at Newton North High School 1990-1993
- Pop Warner coach for Newton Athletic Association 1988-1992
- Sunday School Teacher at Mary Immaculate of Lourdes in Newton 1988-89



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RECEIVED
NEWTON CIVIL
2015 NOV 18 PM 2:30
DAVID A. OLSON, CMO
Newton, MA 02459

November 18, 2015

By E-mail and Hand Delivery

Alderman Allan Ciccone, Jr.
Chairman, Public Safety and Transportation Committee
Newton Board of Aldermen
1000 Commonwealth Avenue
Newton, MA 02459-1449

Re: Petition of Steven J. Donato, Trustee /Appeal of Traffic Council Decision #TC2-15 /(#311-15)

Dear Chairman Ciccone,

My client hereby withdraws its appeal of Traffic Council Decision #TC2-15. Please remove this item from tonight's agenda of the Public Safety and Transportation Committee.

Very truly yours,

Stephen J. Buchbinder

FJS

cc: (By E-Mail)
Ms. Danielle Delaney
Mr. Steven J. Donato