



Setti D. Warren  
Mayor

**Newton Parks & Recreation Commission**  
**Meeting Minutes**  
**City Hall, Room 209, 7:00pm**  
**April 23, 2012**



Robert J. DeRubeis  
Commissioner

**Attending:** Arthur Magni, *Chairman*, Kathleen Heitman, *Vice-Chairman*, Andrew Stern, Peter Johnson, Richard Tucker, Bethel Bilezikian Charkoudian, Peter Kastner (sitting in for Mr. Bernheimer, Jack Neville (sitting in for Mr. Rice), Michael Clarke, Robin McLaughlin, *Secretary*

**Absent:** Fran Rice, Walter Bernheimer, Don Fishman

**Also Attending:** Carol Stapleton, Recreation Manager

*Meeting called to order at 7:01pm*

**1. Meeting Minutes –March 19, 2012- accepted 8-0**

**2. Commissioner’s Reports on Programs, Forestry and Maintenance**

- Commissioner DeRubeis thanked everyone for the support and well wishes while he was out the past few weeks.
- Budget report- Commissioner DeRubeis will be presenting the FY13 budget to the Programs & Services Committee on Wednesday, May 25. The budget format has changed to statistical analysis or outcome based budgeting. Commissioner DeRubeis reviewed the budget. The only cut from the budget was \$115,000.00 from seasonal wages. A three man tree crew has been added to the budget.

**3. Nonantum Neighborhood Association- Lois Dominique**

- Ms. Dominique is proposing the 1<sup>st</sup> Annual Village Day run for the Nonantum Neighborhood Association on June 3<sup>rd</sup> (rain date June 10<sup>th</sup>). The police would be closing off Watertown Street from Adams St. to West St. The Association will be using the sidewalks, street, Coletti-Magni Park and Pelligrini Park. There will be Balloon Rides at Pelligrini Park.
- Ms. Dominique is following the guidelines used by the Waban Neighborhood Village Day.
- Chairman Magni asked if the group has applied for all the required permits. Ms. Dominique said yes.
- Mr. Kastner asked how high the balloon ride will go into the air. Ms. Dominique did not have that information. Commissioner DeRubeis stated there have been balloon rides previously in Newton Centre, but the Law Department should be contacted.
- Mr. Tucker asked if the Association has received any opposition. Ms. Dominique has only received positive feedback.

*Mr. Tucker made the motion to move the proposal to a public hearing. Mr. Johnson seconded the motion. Motion passed 8-0.*

**4. Crystal Lake & Gath Pool Swim Fees**

- Ms. Stapleton stated Crystal Lake & Gath Pool will be open on June 11. The fees have not changed from last year. The fees are:
  - Season Permits are issued to residents only
  - Adults- 18 and up=\$45.00
  - Students(ages 6-17) & Seniors(ages 62 & up)=\$20.00
  - Resident Adult daily fee= \$6.00
  - Resident Student/Senior daily fee=\$4.00
  - Non-Resident daily fee= \$10.00
- Chairman Magni asked if the fees go into the revolving account. Commissioner DeRubeis responded the swim lesson fees go into the revolving account and permit fees go into the general fund.
- Mr. Stern asked why the fees have not been raised. Commissioner DeRubeis stated the Executive Office requested fees not be raised.

## **5. Policy Committee – Update**

- No update

## **6. Vote on public hearing for Swim at Your Own Risk**

- Chairman Magni asked if the sub-committee has made a decision on swim at your own risk (SAYOR) at Crystal Lake to guide the Alderman.
- Mr. Stern commented the sub-committee had met in February and reported to the Commission in March. The decision was made to create an ordinance before authorizing other lake use.
- Mr. Kastner stated the fine is a separate issue than the SAYOR proposal.
- Mr. Tucker commented the Commission is mandated to care for the property. If people were trespassing on private property the property owner would go after the trespassers. Even if a law suit is frivolous the process would still cost the City money. If we cannot stop the disaster we can stop the lawsuit. Mr. Tucker is in favor of fines, it is unacceptable to break the rules. The Police Departments hands are tied. The SAYOR proposal was presented by a tri-athlete we are not worried about him but about kids misbehaving and that would haunt us forever. The police do what they can, the off-leash areas are self-policing. Crystal Lake would have to be self-policing, they cannot avoid the responsibility.
- Mr. Kastner commented the sequence of events should be the ordinance and then the public hearing.
- Ms. Charkoudian commented the report from the Health Department was disturbing and a great concern regarding the condition of the water draining into the lake at the coves.
- Mr. Neville commented The Aquatics Director for the City is also a Red Cross representative who is against swim at your own risk. We should listen to our staff.
- Chairman Magni commented the irony of the 4 deaths at the lake occurred in the authorized swim area but what about all the lives that have been saved that we do not hear about. Ms. Stapleton stated two of those deaths were outside the authorized area.
- Chairman Magni commented he can embrace reform within the bath house area but it is hard to embrace SAYOR.
- Ms. Heitman commented the Commission cannot risk the environment, ecosystem, Crystal Lake being overrun with outsiders and parking issues in the neighborhood. Ms.

Heitman is concerned about a person dying and does not want the responsibility of putting a person in jeopardy.

- Mr. Clarke commented the State should be OK with the recommendation of an increase to the fine. Mr. Stern agreed.

#### Motion #1

*Ms. Heitman made the motion not to accept the proposal for Swim at Your Own risk at Crystal Lake. Mr. Stern seconded the motion. Motion passed 8-0.*

#### Motion #2

*Mr. Stern made the motion to approve a proposed ordinance be formulated by the Law Department for the initial \$20.00 civil fine per violation. Mr. Tucker seconded the motion. Motion passed 8-0.*

#### Motion #3

*Mr. Stern made the motion to recommend to the Board of Aldermen they seek Home Rule Authority to increase the civil fine from \$20.00 up to \$500.00. Mr. Tucker seconded the motion. Motion passed 8-0.*

### **7. New Business**

- Mr. Clarke stated the Historic Commission has submitted the Alms House at Nahanton Park to be included on the states register of historical places. The Public Buildings Department does not have a good use for the building. The Commission needs to develop a proposal.
- Chairman Magni suggested Mr. Clarke work with the Parks & Recreation Department staff to develop a proposal.
- Ms. Heitman announced she will be stepping down from the Commission. Ms. Heitman is retiring from her job and moving out of Newton. The May 21<sup>st</sup> Commission meeting will be her last meeting.
- Commissioner DeRubeis announced the P & R Department will be having an Open House On May 10<sup>th</sup>, 11am-7pm to celebrate the departments move to 124 Vernon St and the Commissions 100<sup>th</sup> Anniversary.

Meeting Adjourned at 8:30pm

Respectfully Submitted

Robin McLaughlin, Secretary