

Charter Commission Meeting Minutes

Public Meeting on Article 3: Executive Branch

Monday February 29th, 2016, 7:00 p.m. – 9:30 p.m.

Education Center, 100 Walnut St. –Room 210

Present from the Commission: Chair Josh Krantzman, Vice Chair Rhanna Kidwell, Bryan Barash, Jane Frantz, Howard Haywood, Anne Larner, Brooke Lipsitt, Karen Manning and Christopher Steele

Agenda Items

Welcome Remarks: Josh Krantzman introduced the Commission and shared that NewTV was broadcasting the meeting, and shared who had been invited to speak about Article 3. He announced the Mar. 9 public hearing and explained other means to get in touch with the Commission: regular Commission meetings, future public hearings and how to reach the Commission via email. State Representative Ruth Balser and Mike Striar were scheduled to speak but were not present.

Below are highlights of speakers' comments. Full audio is available on newtonma.gov/charter.

David Cohen (former Mayor of Newton).

- thanked the commission for its work and described the charter as an enduring document and a good design is very important
- discussed budget and recommended that the 2 required city Schedule A's in the budget report be made more widely available to increase openness in government
- raised that Commissions and Boards add creativity but lack support and should be able to raise funds for support staff
- referred to state constitution's language to "cherish public education" as an example of how exhortative language can be beneficial
- shared view that the special permit process is prohibitive for homeowners and small businesses and recommended an appointed rather than elected Board for smaller scale projects.
- outlined challenges facing the city, i.e. related to new development, keeping up with inflation
- expressed there should be affordable housing in Newton to reflect its values meeting or even exceeding 40B standards
- described constraints with mayoral succession provisions, claiming that they failed the one time they were used: suggested that council president become acting mayor, that the city council elect a temporary mayor and the city hold an election to fill the vacancy within 7 months
- Section 3-3: suggests alternative language re: appointments because councilors can make appointments. Section 3-8: comments on mayor's signature requirements.

Mayor Joseph Sullivan (Braintree)

- He is Braintree's first mayor and has served for 9 years
- Executive accountability (i.e. appointments) is very important. Thinks there may be too much blending of responsibilities in Newton.
- Regarding legislative vs. executive he suggested executive doesn't need balance, but rather oversight. Largely in the form of finance and management.
 - Described the budgetary process. Finances need to be managed well to look after important elements in a community. A good management team needs to be in place. Described dynamics between Executive and Legislative. Executive is ultimately accountable. Motto is to "plan the work and work the plan".
 - Believes in time frames and "dates certain" for budgeting – in Braintree: budget is filed by May 1 for up or down vote July 1.
 - Council cannot raise or change the budget which he thinks is important. Believes that

Braintree has sound planning and successfully covered 2.2 million in exposure related to last winter.

- Commented on Zoning. He makes 5 appointments to the ZBA, 3 active and 2 alternates. The council approves appointees and approves larger scale projects only.
- Has a 5 member planning board that handles special permits. All members are appointed by Mayor. Councilors often attend but the boards are responsive and report to Mayor.
- Encourages volunteers in spirit of democracy.
- Discussed executive authority to spend money in emergencies and Braintree's good planning. They benefit budget-wise from reserves and revenues.

Paul Pezzella (member of Worcester's most recent Charter Commission)

- Worcester (pop. 175,000) operates under a Plan E form of Government after charter review in the fifties. Commissioners were divided in support of Plan A/strong Mayoral and Plan E/City Manager.
- Prior to charter review, city had lopsided representation (geographically, diversity wise) on School Committee and City Council.
- Charter Commission helped ensure proportional representation on City Council. (its west side and east side). A city-wide poll helped convince all Commissioners that district representation was needed.
- Worcester Mayor is a ceremonial head. People now run for at-large city council districts and may opt-out of mayor's race.
 - Boards and Commissions also represent various districts.
 - Suggests not "handicapping" Chief Executive.
 - Legislative Branch can reduce or delete but not raise budget line items
- Lowell/Cambridge/Worcester all have city managers – but thinks Plan A works, Mayor is a better way to go.
- Recommends separating city clerk from election commission.
 - The Charter Commission has adopted Neighborhood Area Council structure with wide representation.

Ted Hess-Mahan (City Councilor)

- Described city government as "too big", with too much politicization
- City Managers act as chief executives and depoliticize and views 9-11 Councilors as the right number elected every two years. Pay more and expect more. School Committee is an excellent model, smaller body, hires superintendent and functions well.
 - Geographic requirements are important in elections. Council should be elected every 2 years – but too many seats means much less turnover.
 - Strategic plan should be approved by City Council with mention of \$1 billion in unfunded pensions to be paid out by 2040
 - City Solicitor serves at pleasure of the mayor but represents executive and city council. This can pose an actual or inherent conflict of interest.
 - Discusses history of Board of Alderman under a bicameral system originally and how number grew to 24 as wards were added.
 - Shared thoughts on special permits - "quasi judicial" and might be handled by co-appointed board not elected

Paul Coletti (Former Alderman)

- Served on Board of Alderman for 32 years and loved the larger board
- Re: Budget Advocated for a Finance Advisory Committee including School Dept., Mayor, CFO, etc. meeting openly in a Committee Room and openness around budget process
 - History of "strain on Treasurer" by Mayor - Mayor may no longer dismiss a Treasurer.
 - Policies and procedures related to Treasury should be reviewed.
 - Encourages School Committee to ensure fair wages in keeping with new growth and to settle contracts on time
 - Discussed budgets and benefits of a draft. Reorganizations should coincide with budget.
 - Thinks ZBA is doing a good job - describes losing and regaining power years ago.

- Flexibility is needed around special permits.
- Recommends the size of City Council stay the same, staggered terms, no term limits for City Council, but School Committee should have them.
- Land use decisions should remain with the council.
- Charter objection should be kept.

Ken Parker (Former Alderman)

- Looks for improvements with transparency and accountability, operations, and fiscal planning.
- Supports representation at large or from a district, but concept of running at-large, from a district is crazy. Competition each election is important.
- Emphasis on transparency through use of technology to provide data to the public (i.e. fire response times)
- Data collection can be very helpful in terms of operational efficiency (311 data), carbon foot printing, etc.
 - Regarding Executive policy, discusses 5 year forecast, strategic plan, and Capital Improvement plan. Suggests an impact statement and requiring vote(s) to change CIP.
 - Comments on School Committee: 2% of budget should be minimum for maintenance, not maximum and should apply across all municipal resources. Maintenance is important. School committee should be elected from wards, not at large.
- Zoning should stay with the council. Special permit authority should also be an elected body.
- Boards and commissions are often ignored. Should be an assessment regarding whether a commission did anything or accomplished anything.

Tom Sheff

To respond to 6 questions sent to him via email:

- Need to increase efficiency with weak mayor and city manager. Take politics out and have managerial experience.
- Challenges to our government include the size of the council.
- An advantage in our system is talented employees and citizens ready to serve
- Regarding budget, start the process and decision making earlier and include the input of more councilors. He seconded Paul's remarks.
- For zoning and planning, others with experience would add value and take away the politics and lawyers.
- Volunteers, i.e. on commissions, should have term limits to ensure new ideas and energy.
- Area councils are an asset and should be easier to serve. Make better use of technology and public information.
- Commissions should have overseers to ensure there is accountability and that goals are being reached etc.

The meeting closed after a brief discussion about Article 4 meetings scheduled for next week.