

Wednesday, March 30, 2016
7:00 p.m. – 9:30 p.m.
City Hall – Council Chambers
Meeting Minutes

Introductory Remarks: Josh invites people to sign up and introduces Commissioners.
Collects the sign-in Sheet.

Highlights from the remarks:

Councilor Rick Lipof: 105 Baldpate Hill Road, Ward 8 Councilor at Large. Provides Olympics analogy and the history of the topic of reduction of the Board going back to 1977. Has a 250 page history from City Clerk. Refers to the last formal debate in 2006-08 about reduction of size of Board. Has whole document (pdf format) but providing subset. Thinks Charter Commission was elected because of this one item, and that some people were for the reduction for the size of the board by Charter Commission only. (Could have done BofA Home Rule Petition to Mayor, and refers to non binding referendums.) The report he and a colleague put together in '08 still stands. The question he receives: How would we restructure the work? The Round Table speakers in upcoming Article 2 Round Tables will discuss it. Cites examples and states that Committees can be combined, and some work can go to other departments.

Special permits: as a real estate professional, loves land use which is his expertise. People do not always understand that the councilors need to put on a judge's hat. Most municipalities do not have elected officials doing the special permits--depoliticizes the process. Taking this from Board and putting with a Planning Board would allow for restructuring (of Council) successfully. Researched 50 communities, which have 9-11 councilors. Newton probably has the largest unicameral legislature in the country.

Sue Flicop and Lisa Mirabile, League of Women's Voters. The two divide LWVN comments.

Sue Flicop: 145 Floral Street, Newton

Reducing City Council by far most compelling reason among voters to sign LWVN petition for Charter Commission.

Refers to non binding referendums in support of reduction of Board size in 1996 and 2000. 2006 study was supported by councilors. Reasons for council reduction include diffusion of responsibility and low accountability and voter information burden. Discusses information burden on voters during elections, and many seats being uncontested, so some candidates are pressured to run. Describes lengthy meetings with rarity of original comments. Describes difficulty communicating with so many councilors.

Lisa Mirabile- 12 Scribner Park

Policy should be focus for Councilors instead of administrative tasks. They should delegate less controversial issues. Constituent services should not go to councilors. It would be beneficial to clarify roles, improve service, focus on long term strategic plan.

Reducing the size of the Council does not mean that councilors will not answer calls. They would also have to focus more on difficult questions. Some efficiency is required for effectiveness.

Discusses Council size - Newton has largest Board in the Commonwealth...Boston itself has only 13 Councilors.

Fewer councilors means fielding more calls and reduces choices of which councilors to approach. Does not view as “fatal burdens” but strong advantages. Benefits would be more engaged electorate and more accountability for councilors.

The current structure stems from what was formed in 1897 when Newton went from bicameral to cameral. 120 years later our world is very different with the internet, 311, etc. Smaller Board would increase efficiency and effectiveness in modern times.

2 Question from Brooke Lipsitt.

1) How to determine which “less controversial items” go to staff. Lisa responds that this should be determined by Council.

2) What about land use, as the Council uses majority of its time there. Sue and Lisa respond that LWN does not take a position on land use and it is important to look at best practices in other communities.

Ernest Loewenstein: 57 Hyde St., Newton Highlands

Disagrees with Councilor Lipof’s suggestion (land use) and believes citizen input is important for special permits. Describes Austin street and citizens giving their input. Would have been a problem if decisions had been in control of appointed board and mayor.

Makes plea to keep Ward Aldermen elected from ward. Likes the representation. 2 at large is a different question. But if we reduce Board, give more power into the hands of the “big money guys” because lobbyists would not need to talk to as many people. Too many people making for difficult communication? Cites Charlie Baker and Obama - would we reduce the size of Congress? Harder to get consensus with the larger board, which is a good thing.

At large candidates should run one on one instead of 4 on 2, because this is a source of confusion.

Regarding comments that the Council is too large: In his experience, Citizens don’t know the size of the Council or how it is elected. Suggests schools teach Newton students how this “arcane” (though complicated and confusing system) works. Urges Commission to keep the size.

Lynn Weissberg - 5 Alden St.

Supports the League Statements, most importantly that the Board should be drastically reduced. Comparison data shows Newton is a complete outlier. Unwieldy City Council hearings are far too long. Politicians being repetitive. Whether there are 9, 11, or 13 Councilors is not important but she sees no justification for maintaining 24, nor a Council that exceeds 13.

House and Senate have 535 members in total, but the US legislative body is working with a range of issues much greater than our government faces and the comparison has no meaning.

Councilors should be elected at large with residency requirements providing representation from all areas of the city.

Special Permits: should not be within the province of politicians, and mentions the number of hearings and hours spent on Austin St.

The process is not needed and plays into the worst instincts of politicians. Special permit decisions should be made by professionals appointed by mayor or a special council, or combination of the two. In other cities, individuals making these decisions have qualifications besides being elected to serve on City Council.

Kathy Laufer, 26 Mosman St.

Supports reduction of the Council. Staff can handle councilors' work in many cases.

Appreciates LWVN and Councilor Lipof bringing forward historical data. Size of Council contributes to divisiveness~ a smaller Council could be more cooperative and improve process.

Kathleen Hobson, 128 Dorset Rd.

Agrees with LWVN, Lynn Weissberg and Kathy Laufer.

Thinks all councilors should be elected at large and that land use should go outside of the Council and given to professionals.

Is influenced by 1972 Masters thesis: "Battle of Victory Field" - Donna Davis Berman (MIT), 1972, which is after last Newton's last charter was approved. The thesis seeks to explain the "failure of suburban communities to fail to enact land use policies in accordance with the public interest". Large Boards have tendency toward "suburban Neighborhood-ism". Partial interests lead to fragmented decision making and can triumph over community goals.

Brooke Lipsitt: Who should serve on this outside Board (special permit granting authority)?

Kathleen says it is being done beautifully in other communities and we can follow their examples.

John Koot, 430 Winchester St., Newton Highlands

Against reduction of city Council. Gives example of juries-would we want to reduce the number of our jurors? Gets nervous when "streamlining government" is discussed~ that this is beloved by despots, authoritarians, etc. who do not want interference with their plans.

Though other cities have smaller councils, it is irrelevant to our situation. Except for Cambridge, no one is so creative, innovative, with Newton's wide range of interests and experiences, etc. Council has all kinds of experts, i.e. a lawyer, architect, doctor, professor, conservationists, etc. They are public spirited enough to serve, and their duties are numerous and onerous.

We should keep with philosophy "many hands make light work". Echoes Mr. Loewenstein's comment: smaller council can be influenced by power players.

His recommendation for council configuration is 2 ward councilors (elected by ward) and one who serves at large from each ward.

Land use: taking power away from the Board (land use) will go to developers' interests. To a hammer, all problems look like nails and [professionals vs. councilors] are not qualified to determine if project inappropriate for a particular site or neighborhood. Lot determinations should not go to professionals. Councilors more responsive to individuals. "Where no council is, people fall. Where there is a multitude there is safety".

Councilor Ruthanne Fuller - 163 Suffolk Road

Describes her principles:

Deep belief in "small d" democracy. Power to elect decision makers is essential at local level. Tempting to put people in hands of professionals~ she still favors elected folks.

Term limits: Leave it to the voters rather than insist on term limits. Says that [very experienced] Yates, Baker, Gentile - often remember something the rest do not know about. That length of service helps deliberations.

Land use and special permits: Prefers a hybrid model. Recalls BoA public safety and transportation committee that worked on parking, stop signs, etc. A compromise helped with efficiency and power: traffic council was established (describes composition.). Decisions were moved to the group that was appointed but are appealable back to City Council. This professional group does great job and Council only has only 1 or 2 appeals. That might be an attractive model for land use.

Motivated by diversity of opinion. Very different neighborhoods and demographics and densities of housing, etc in Newton. Having diversity reflected in elected officials is important.

As far as [Charter Commission research re:] change of wards - a change would be difficult and must be done after census in 2020, so it appears we are "stuck with 8 wards". Attractiveness of an odd number becomes more complicated. At large [elected] ward councilor - attractive.

Are we 1 city and 13 villages or 13 villages and 1 city?~ Wants to be 1 city first, then 13 villages. We don't want councilors being too focused on one geographic area or group of constituents.

Favors Strong mayor. Don't increase city councilor pay - keep it part time and volunteer, and keep most power with the mayor who is accountable to everyone.

Size of Council - not the key question and let it fall out of other decisions. Don't necessarily need 24 - could do work with a smaller number. Diversity of views is her highest principle, and that should drive the number of councilors. Effectiveness being determined by size of Council is a red herring - because the efficacy depends on who is elected.

Lobbyists and Influencers: Can provide comments based on her experience another time.

Essential functions of City Council? Finance. Budget items, not just at budget time, writing zoning ordinances, work of public facilities, land Use. Large questions go to or are appealed to the full city council. Other things are more routine.

Robert Gifford, 41 Oxford Rd.

Refers to Charter Commission Discussion Guide Scenario D - 1 at large council per ward plus 1 -3 at large along with Model City Charter (National Civic League) and other communities.

City Council public comment: people get home late frustrated and exhausted. Hard to get a word in edgewise when agenda includes 24 councilors. This serves as a disincentive to show up and to public participation.

Describes trying to motivate non political friends and their blank and confused stares. They do not understand the structure. It is difficult to get people engaged and many are checked out. The Council's size is a deterrent to citizen engagement, so wants smaller board to better engage.

Comments on loss of representation with (loss of) ward councilor. He thinks ward at large are very strong advocates and it is a red herring that losing ward elected ward alderman will dilute representation. Suggests hiring staff to support the board if reduced, and re: land use~ the special permits review should go to professionals with relevant experience.

Discussion about public comment is initiated by Brooke Lipsitt. Councilor Fuller notes that if there is a

controversial item, many councilors show up to speak. Usually the councilors do speak first which can take an hour and a half, so in some cases public cannot start commenting until 9pm or later. She confirmed the Council could control this approach through its own rules.

Sallee Lipshutz 24 Radcliff Rd., Waban

Reiterates importance of maintaining size of current council, and comments on committee system. She likes the process of deliberation, and that a large number of votes is needed to prevail.

Land use: Changes must be well considered and acceptable to voters. Can't have 100% acceptance. But gov't can offer opportunity to allow people to be heard. It currently takes a concerted effort to make change and it should be that way. Our [land use] decisions should not be made by unelected people.

Ward Councilor is nearest and dearest [councilor], and we need to provide [ward councilors] at all costs. Scenario A (in the Charter Commission's discussion guide) is her choice with other scenarios not (or less) acceptable.

Discusses term limits and lengths, elections, and recommends small compensation for councilors with benefits, and shares her ideas about salary reviews and increases.

Councilor Deb Crossley, 26 Circuit Avenue

Brings 2 points of view as a sitting City Councilor who also was the President of the LWVN (~1999-2001). At that time, the League asked Newton voters via ballot (through state legislative district) if they agreed the size of the BofA should be reduced. 2 to 1 were in favor.

Describes Florence Rubin model and responsibilities Council is charged with vs. "self assigned".

After serving six years, believes Council could give up some responsibilities and not do worse for Newton. Examples include grants of locations for expansion of utilities, gas lines, telephone lines, poles, etc. which need to go through a body per state law. This does not have to be City Council. She thinks it is better for the council to focus on larger issues that affect everyone, i.e. around policies and zoning.

Land use/ Development ordinances: If special permits taken away from Council via Charter (if it can be done), then Commission must figure out how. It matters who appoints and the quasi professional status of the members. This body should NOT be elected - is divisive. Council role in zoning, capital projects, infrastructure, etc. can be put aside when people are looking for support in their neighborhoods. Take it out-- or there is an argument to try to draw a line between large and small projects based on impact and master plan for the city vs. small projects that take enormous time to deliberate. (currently everyone needs a hearing for mudrooms, pizza places--the whole range.)

Discussion of Boards and Commissions: [Under Executive] Mayor appoints all members of boards, commissions, advisory committees. However, the Energy Commission has appointments from numerous bodies (LWVN, School Committee, Council, Mayor, Newton/Needham Chamber of Commerce). Some committees are useful to both legislative and executive, so perhaps the council can be required to make some appointments/decisions, i.e. to the Solid Waste Committee, water/sewer (if decide to have one), transportation planning. (all considered lifeblood of the city, most important elements/services).

Links Article 2 to Article 7. Paragraph about the Comprehensive Plan (A7) should be updated. It states that when legislative body decisions are being made that are described in the Comprehensive plan (land use devpt, transportation etc.) the planning board should make a decision and a comparison, and amend the comprehensive

plan if needed. Notes a lot in the charter (like this) is not being observed.

The ballot is a reason to reduce the size of the board to bring people closer to gov't/ & so it is easier to discern who is running. It is easier to vote for smaller number. More competition means fewer people can walk in or get onto the Council easily, and the races should be competitive.

Council focus should be on budget, zoning, planning (Fuller), and there should be no term limits for City Council and School Committee.

Claire Sokoloff, 41 Oxford Road

Sees the charter review as a once in a generation opportunity and believes we can do better with this unwieldy process.

The community cannot engage, and our system needs to be one that our community can understand (less cumbersome). Public hearings are redundant and not the right recipe for promoting the involvement our citizenry deserves.

Diversity of representation is well reflected in 1 person elected from each ward at-large, which captures the pulse of ward but keeps a city-wide focus.

Describes School Committee and City Council analogies-thinks that model could work for Council. Refer to tensions between "electeds" vs professionals handling citizen concerns. When on School Committee, issues sometimes diverted to professionals--on that note, thinks some things should not be handled by elected officials. (i.e. pot holes) because creates inefficiencies.

Term limits: Though difficult to be term limited out (School Committee), it was important because people who stay too long can amass too much power and be intimidating.

Bryan Barash provides update about Commission work on public comment.

Councilor Brian Yates, 1094 Chestnut St.

Community Service Desk has sign ~ Newton is the 4th best place to live in country. MA LWVN passed reduction in size of house of representatives, but he does not think the house is better for it, and 3 speakers of the house have left via federal courts. It is too difficult to reach or express views to 24 councilors, i.e. through the Council email distribution list.

Comment on public hearings: of 6-8 full board mtgs. only one went late. Most of the time, business is routine. A recent meeting went to 11:30pm because of major issues. Otherwise, the meetings involve people talking to committees.

If Council is cut, special permits goes elsewhere. Discusses special permits and the relationship between the ZBA and Planning Board via MA State Law 40A. Describes joint hearing (ZBA and Planning Bd.) on minor zoning amendments. Planning Board couldn't make it because of vacancies and illnesses.

With regard to efficiency and effectiveness, things may pass faster (with a smaller board), but won't necessarily be better. He believes the scrutiny and the balance of power (status quo) are inherently beneficial. Ends with a quote from Winston Churchill.

Jay Walter, 83 Pembroke St.

Land Use should be taken out of hands of council and politicians~ the issues of having a different body could be resolved. Professionals would be dedicated to a specific commission and shouldn't be political like they are now.

The comprehensive plan does not seem to matter - it is a project by project response instead of long term plan.

Meeting closes at 9:30p.m.