

Wednesday, March 31, 2016
7:00 p.m. – 9:30 p.m.
City Hall – Council Chambers
Article 2 Round Table
Meeting Minutes

Opening Remarks by Rhanna Kidwell and Howard Haywood. They stress that the panel should represent diverse opinions for Article 2. The panelists make 5 minute opening remarks.

Councilor Cheryl Lappin:

Supporter of Charter Reform - signed petition several times. Has always thought the Board should be smaller. She and Scott Lennon (as vice chair and chair) have been streamlining committees, etc. Council could go from 24 to 12 ~ 3 from each ward not needed.

Suggests getting rid of land use special permitting. Retain control over larger projects. In other towns, appointed or elected boards which leads to fewer politics. Important to streamline boards and consolidate committees, i.e. Finance and Public Facilities - sees the same issues.

She is interested to learn about what other city councils do.

Councilor Scott Lennon:

Has served on Board/Council 1/3 of his life, as ward and at-large alderman and councilor, president and vice president. Served on all committees except for one. In the end, this is about serving the city and the residents. Expects a robust discussion and to see end user discussion on both sides [from Commission]. Supported Charter Reform initiative and looking at how all things operate. Looks forward to comprehensive discussion.

Councilor Baker (statement read by George Mansfield).

In 32 years of service has seen consistently good judgment from the Board. Feels that even if disagreement, what is best for Newton happens. “True Magic” to have 24 Aldermen, honorable people even with different opinions. Brief delay has prevented bigger problems later. Board/Council remarkably democratic - elected chair and vice chair and committee heads not given more power, just more work. No factions. Everyone works hard with limited pay and recognition - no sloths. Work of multiple councilors often preferable to executive based leadership. Austin St. reflects that aldermanic land use special permit process is better. (versus Atrium project which bypassed the BofA). Describes success of Ward 7 milestones, golf course, homestead, reservoir, and other projects, and how ward councilors help constituents be heard.

Be careful about recommending changes - tempting to fix what is not broken. Could be unhealthy, shifting balance of power unwisely to Mayor, could become more and more dysfunctional.

Councilor Brian Yates:

Started with Board in Sept., 1987 as dean, overseeing ceremonial caucuses. Further line of succession should be reflected in charter (as far as acting Mayor). Gives personal history of community service, being a local activist, and service on the Board.

Regarding size of the board: “If it’s not broken, don’t fix it.” ~ Newton 4th best place to live in the country, “Money” magazine. LWV MA brought about a smaller House of Representative, which is not more effective or efficient, and the last 3 of 4 speakers of the house have been convicted of crimes. Discusses reachability of Newton councilors via photocopied letters or group emails. The word “politicized” is thrown around esp. re: land use, but he prefers “accountable”. If Council cut, use Chap. 40A to designate another group as special permit granting authority-logically planning board or ZBA. Current state of affairs on planning board reflects weakness. Planning board “busted” public hearings, so 3 zoning amendments stalled because of illnesses, absences, and vacancies. Could not fulfill their duties under state law.

Former Alderman John Stewart - Not involved since 2001-2005, received 3 chairs over time. Makes six points

and also sub points.

Studied cutting the Board in the 90's and concluded that cutting the board without other changes accomplishes almost nothing.

24 - 16 ok if accompanied by other changes. Is fan of charter reform but it would take a very detailed study with in-depth case studies.

Check the 'whole business' of who serves and why~ some contribute more than others and some coast. Look at the challenges to be on Council. His role as councilor interfered with paid job. Look at constituent services carefully.

Some spend more time on this than others. Is this a proper function?-- Mayor has a Citizens Assistance Officer.

Having a city Manager: does NOT mean there would be no mayor~ a myth. Can have a strong mayor and a strong, efficient City Manager and a productive city council.

George Mansfield. Describes PhD - has studied why and how neighborhoods change over time, and factors that influence change. Lived in a "new town" alternative to "suburban sprawl", Columbia, MD. He realized Newton was a new town in old, but very attractive clothing. Saw how neighborhood area councils connect people to local government. Bottom line - Newton is a very special place.

We are 1 of 8 medium cities in MA such as Fall River and Brockton, and others in metropolitan Boston Plan A charters, i.e. Somerville and Lynn. He does not view as comparable--are irrelevant. He thinks there must be something RIGHT about Newton (and Land Use) which makes and keeps Newton a special city with large council and neighborhood representation. Problems can be resolved without changing basic structure but make the structure and processes more transparent. His points include recommendations about 4 year staggered term elections, term length for and mayor (2 x 6 year terms) and no term limits for councilors. Discusses long term vacancies which he does not object to. Let the Mayor' CAO be acting mayor. Has ideas to share if Commission proposes cutting the Council size.

Question Format Highlights:

Q: Scott Lennon (RK) - how did your approach change going from a ward alderman to one at-large?

Focus did not change at all. Constituent service important--tried to take this focus and bring it city-wide.

Sometimes people go [to a councilor] when the Mayor's office doesn't help. He takes the same focus as a ward councilor to at large.

Councilor Yates: Describes himself being an "Alderman at-large with the soul of a Ward Alderman" and will work with people anywhere.

Gives example of his role with a constituent hydrant issue over Easter. Sometimes things need to be coordinated that don't fall into easy categories.

Lappin: Speaking as a ward alderman, she never put the interests of the ward ahead of the interests of the city.

Represents people of Newton not the people of Ward 8. Acts as a committee liaison for something involving her ward, but votes for what is best for the city with each project. Emphasizes being tasked with fiscal responsibility.

Stewart: There is no written distinction between the two, just the manner in which they are elected. Describes case study of Ward 4 aldermen over 3 terms. Conclusion was that differences were more a matter of styles, political attitudes, etc., but not responsibilities. Did same things within their Ward 4 neighborhoods. Maybe more people should be elected from wards and not at-large because it fixes the problem of people not knowing those from other wards. Maybe have 2/3 elected from ward and 1/3 elected at-large.

Mansfield: No difference between W and ALW in charter or in practice. Leadership predominantly comes from ward alderman seats--mentions Lappin, Lennon, himself, Baker. Difference is "out on the streets". In most cases, the 3 work well together. (exception: Ward 4 study).

2 Questions from HH: If there is no distinction between roles, what is the purpose of having a ward alderman? Why not elect all at-large?

Stewart: In 1970s and before, concept is that some members should be known by residents in each ward. The role has changed over time because communication is much easier than it was.

Scott Lennon: If council cut, have 2 ward councilors from each ward. Gives example - Alderman Gerst. Someone popular in W1 came in 4th in ward. Opponent was elected because he did a great job city-wide, but didn't reflect who the ward wanted (parochial and for city-wide decisions). Intimate knowledge of a ward is important with committee and executive office work, sewer work, road paving, etc. Helps formulate plans more effectively.

Yates: Has a good relationship with others in his ward. John Rice was great working in Ward 5 and getting Neighborhood Area Councils in each of the Ward 5 villages. Benefit to have that status.

Question: BB: Why 24? What would be effective with fewer?

Mansfield: Nothing is perfect but it has been this way since 1897. (actually 21 when 7 wards). The bigger question is why 3 from each ward - because they are getting the work done as efficiently and effectively as possible. Multiple of 3 is important.

Lennon: Likes having backup able to attend variety of meetings, so helps with coverage because there is a lot that goes on.

Yates: 8 wards and 3 per ward is helpful with how committee structure has evolved. 3 major: Finance, Land Use, Zoning and Planning.

3 P's: Program and Services, Public Safety and Transportation, and Public Facilities all meet on the same night. If something is overwhelming, can attend. It is not spelled out in the charter but committee structure works effectively. Thinks other cities with a dozen or more committees should consolidate for scheduling purposes and to be more effective.

Stewart: Appeals to Commission to look beyond Massachusetts for different structures. Discusses bicameral legislature. 24 means more people have personal connections. Admittedly, there are inefficiencies that come with having that many members. Some things would be faster with 8. If bicameral, have a Council with 8 people, and then another body with 16 or 20 to meet with a lesser schedule to handle thing with less intensity. Vague because he hasn't thought through but urges Commission to think about. Mentions Everett (was but no longer is bicameral).

RK introduces Rep Ruth Balser.

Opening remarks:

Had been invited to speak as part of Commission's Art. 3 panel, so has comments about Executive and Legislative.

Executive: When running for mayor in 2009, there was an incident when Professor Gates in Cambridge was arrested at his home. City Manager provided no moral voice of the community, so she opposes the City Manager. Beauty of democracy means a leader who expresses values of the community, not just a manager, and no voice came out of Cambridge about the values. Spokesperson with good judgment is needed.

Legislative: When on Council filed docket items to reduce the size of the board and pushed for a vote but only got a handful of votes.

She was for it was not so much about efficiency which can be to the detriment of public debate. She is more concerned with accountability and representation. The ballot is confusing now.

Question: JK: What does it mean to be "broke". If people think its broken (referring to non binding referendums in

96/2000 in favor of reducing the Council), does it mean it is?

Yates: No.

Scott Lennon: Some people know the city inside and out. He and Councilor Lappin have been streamlining operations based on citizen and colleagues input. Eliminated 3 committees, and had to convince 24 members. Special permits take 9 mos. - perhaps could take 6 months, but not necessarily bad to be deliberative, do due diligence.

Mansfield: Explains that special permits can take a long time even w/7 councilors and staff of 2 because of nature of petition and willingness of petitioner to provide information government needs to evaluate the petition. It requires improved rules and regulations and accountability~ not related to the size of the body. Mentality to reduce (government) is rooted in the media perpetrating an anti-government message.

Yates: Doesn't think [aforementioned] contests were a fair assessment. He is guessing the question ran in 1-1 and 1-4. People there may feel disenfranchised. Accountability is not secured by having fewer people accountable to you. Valid change would be staggered four year terms so that someone in Ward 5 who wants to replace him has a clean shot. If everyone goes at-large, there is no accountability, just high visibility.

1/2 of council at-large members could run for mayor without sacrificing their seats. People passed up the opportunity at the time.

Question KM: Do other communities serve as a model with a smaller council size or special permit process?

Yates: Lowell City Managers brought great electoral experience and served successfully with bureaucratic management underneath them.

Lennon: Hard question because we don't know other cities' responsibilities. Hard to know how Medford's 13 committees work, etc., and what flows through there.

Mansfield: He does have knowledge of other communities as member of MA Association of Planning Directors who compare notes monthly. He cannot recommend anything or think of another place that does things better than what we do here.

Question: BL: Emphasized land use and council reduction are issues raised most often with Commission. Wishes to raise a question about ward representation, in case ever a temptation to represent ward first. She raises the question of reducing the number of wards as part of a strategy if Council were reduced?

Lappin: Changing wards would require taking Newton's distinct villages into consideration. Change would need to encompass what exists at villages.

BL clarifies the question.

Lennon: Echoes what Lappin says. Ward 1 and 7 have issues that affect Newton corner and the councilors work together.

Balser: The issue is about representation and how democracy works. She doesn't think that suggestion would help. If a candidate wants to 'take someone out', there should be a system. On state level, she represents a district and someone can easily run against her about taxes, for instance. Reducing wards and having more people representing goes in the opposite direction. She knows it is different in Newton - thinking about ward vs. city. It is always districts first as representative w/state legislature. Always about accountability - should be able to elect someone who shares your values. Total number is less the point.

Mansfield asks question, clarified by RK: Charter can establish number of wards (after next US census).

Councilor Lappin was on redistricting committee which determines boundaries, on state level. Boundaries can be redrawn by Council based on census.

CS: Question: Please share thoughts on the topic of special permits, and how it could be adjusted to work better.

Lennon: Would require very clear delineation - large should stay with Council. Land use has made strides with small petitions. Planning is frustration which is function of executive. If planning dept. is understaffed, can become a few month process. In this case, a mudroom is getting the same review as Austin St. He thinks they did a good job with Austin St. - large projects should stay with Council. Clear delineation can be captured administratively.

CS: Brings up the distinction between large versus complex projects re: multiple use projects.

Lennon: Criteria should be expanded upon, many are established. Overall point: smaller administrative matters make councilors and residents wonder "why we are here".

Mansfield: Believes project size distinction made in ordinances (not charter). If Council no longer granted special permits, then it should still be elected body, not appointed by Chief Executive. Planning staff should report to the special permit granting authority and not to the Mayor.

Brooke Lipsitt: Can you help to draw a line/provide a definition for a simpler process than going through the Council?

Yates: Don't draw a line. Planning Director from Somerville spoke to zoning and planning committee and described something fine grained and multi-faceted with Pattern books solution. Allows different set of uses within a district that would include large homes, cottages, and would not need to match up to criteria. Most villages have different kinds of houses to be approved. Hopeful that the pattern book solution will be presented by consultants hired. Concerned that there are only 2 bidders on RFP with 200K difference.

Lappin: The dollar amount is not where line is drawn. Complex is a relevant and subjective term. Would like to look outside to find good examples.

Lennon: Echoes what George Mansfield says. There are some definitions and delineations within their current rules. Baker worked hard on the approach.

Question BB: Confirms that George is a planning director and works for 7 member planning board. He handles special permits, but the planning board is the special permit granting authority. He advises them and public advises through public hearing. A lot of the process is controlled by Chap. 48 (state law) and cannot be controlled by charter or ordinances. Similar problems in communities, though most of the time permits handled efficiently and fairly with satisfactory outcomes.

Doesn't see most problems/frustrations with complex projects coming from the root of the permit granting authority (but with state law).

Question BB: As far as constituent services, draws analogy between Council helping constituents and School Committee helping individual parents, which would not be appropriate and is directed to administration. Is it different for Council? Should Councilors help with a pothole or is it more a role for the city?

Yates: Very appropriate role - need to know about the pothole, why people are not getting water at their houses. Cannot speak to School Committee, but advocating on behalf of taxpayers is and should be a very big part of their

role.

Lappin: we are elected to represent the citizens and be the voice of the citizens. Take care of major interceptions and city Staff could not handle the calls the councilors get. Feels School Committee should be conduit to administration. If a huge permit, light, or public safety issue, Councilors are needed. Not just for passing budget and appropriating funds.

Lennon: became involved because of constituent service and learned from the ground up.

Balser: Not understanding point about School Committee and would frame the question a little differently. Calls initially go to City or School Dept., so more about escalation. If something breaks down, the elected official facilitates communication.

Mansfield: Councilors must be interested in constituent service or will not last long. People refer to talking with "City Hall" -- is a faceless place but the City Council has faces. People know at least some councilors.

Stewart: Agrees with Rep. Balser. Operating people should be handling many citizen issues, administrative things. Disagrees constituent services is a legitimate function of city councilor or state rep. Departments/operating people should learn how to handle complaints. Citizens Assistance Officer role in mayor's office should be looked at.

Lennon: Average citizen doesn't make these distinction. Elected officials and city affiliates are under the umbrella of "city". Should answer calls.

RK presents final questions.

The panel describes how many contested elections they were in.

Aside from first time running, how many contested races? Among the responses:

- 1) Ruth Balser - Alderman 4 times contested once. She ran 9 times for the legislature, contested twice.
- 2) George Mansfield - 3 out of 13
- 3) Lennon - First time ran he lost. Next time, the incumbent he ran against pulled out of the race. 1 and a half.
- 4) Lappin thinks 3 out of 7 uncontested
- 5) Yates: believes 5 out of 10
- 6) Stewart: 5 out of 6 times. First time he ran in 1975 was the last time there was a contest in every single ward and every single race.

Meeting closes at 9:00p.m.