

**Meeting Minutes**  
**Article 9: Neighborhood Area Councils**  
**Public Hearing and Panel**  
**September 14, 2016 - Council Chambers**

Present: Chair Josh Krintzman, Vice Chair Rhanna Kidwell, Jane Frantz, Bryan Barash, Anne Larner, Karen Manning, Brooke Lipsitt, Chris Steele. Howard Haywood not present.

The meeting opens at 7:05p.m.

Before the first round of public comments, the Commission reviews 8/24/16 meeting minutes. Anne Larner requests an edit. Brooke makes a motion to approve the minutes, seconded by Jane. The minutes are approved with the edit, 8-0.

**Public Comments (General)**

Betsy Barker, 49 Woodcliff Rd, Newton Highlands shares a statement with Rodney Barker, who is delayed. Rodney served as a politician in Newton, Bof A and School Committee. and as a teacher, professor, and more. His work for the city yielded .25 an hour, as calculated at one point. Their viewpoint is that an exceptional number of people are required to make the decisions of the city. If fewer people serve, they will have more work thereby limiting the kinds of people who can work [on the Council]. The system has worked well and there is no compelling reason to change things. Don't try to fix something that is not broken. Please keep the Board of Aldermen as it is.

Rodney Barker joins the hearing and wants to add to his wife's comments. The Board works very well. Work was done in committee and the large board had many advantages. It was important to have the diverse group explaining issues to each other. Two things will result [from downsizing] - much less diversity representing the 2 communities, and there will be too much power in the hands of few. He supports keeping ward aldermen in a city this large, and they have an important role in bringing concerns from their communities. Please rethink destroying our way of government.

Ernest Lowenstein requests that people speak loudly.

Article leaders Karen, Jane, and Chris make remarks and introduce the panel: Srdj Nedeljkovic - Newton Highlands Area Council (NHAC), Anil Adyanthaya - Upper Falls Area Council (UFAC), Sallee Lipshutz - Waban Area Council (WAC), Marc Kaufman - Newtonville Area Council (NAC), Terry Sauro - Nonantum Neighborhood Association (NNA)  
Councilor John Rice - City Council (Ward 5)

**Question 1: Mission/Purpose of Neighborhood Area Councils**

Anil: Main goals for UFAC include community building, restoring sense of community, and communication - acting as a conduit between residents and the city departments and city council.

Sallee: The WAC mission is "to hear, respond to and represent village concerns and issues, to provide a forum for Waban issues, and to encourage resident involvement in local government". The Waban Improvement Society (WIS) is a "sister organization" which helps beautify the environment while building community rapport through beautification, Village Day, seasonal celebrations, and newsletters. The WAC focused on expanding their service area population and gov't interaction and functional knowledge base when they responded to tension over housing issues. Early intervention as a public service was to produce a balanced presentation of regulation 40B. Each month WAC asks residents for

their “burning issues”, attempts to find solutions, and acts as a liaison with the City. They send community communications when city Hall agenda items may be of interest to Waban citizens. Currently, WAC works collaboratively with Ward 5 City Councilor and Parks and Rec on a landscape design. WAC intends to work with other area councils (as it has previously) to create a Candidates Night, a non partisan showcase for those running for municipal elections.

Srdj: A goal for NHAC is to encourage citizen involvement with government via Village Day, beautification efforts, and the opportunity [for residents] to provide input, gather, and talk. Article 9 of the charter is outdated, though probably resonated in the 70’s. Current issues include housing and neighborhood development, transportation/parking, historical preservation, design review, planning, zoning, recreation and open spaces. In general, NHAC provides a forum for citizen input and vehicle for local concerns to be evaluated.

Marc: NAC which formed 3 years ago has been in the local spotlight. Its tasks include promoting public dialogue, acting as a credible source of information, involving the community so they understand what is going on within Village and city government. They advocate for the village and help develop a vision for Newtonville. Their long-term perspective transcends turnover within City Hall.

Councilor John Rice serves ex officio on WAC, NHAC, and UFAC. He describes Mayor Warren’s support for area councils and is glad there are now four. Each one operates differently, and the councils as a great communication tool between community/villages and City Hall, creating diverse discussion on a range of issues. Not all individuals want to work directly with city hall, and many good things are happening.

Terry Sauro states that NNA was formed 5 years ago, and at this juncture, Terry and the NNA Board do not want to form as an area council. They view NNA as equally effective, and their undertakings include beautification, a shop and stroll, and a Facebook page for community events with 1500 followers. NNA’s mission is fostering ideas, initiatives, improvement and building a strong foundation of growth and prosperity, and providing dedicated advocacy for residents and businesses within the village of Nonantum. She emphasizes their cooperation and efficacy.

Question 2 pertains to the question of whether NAC’s should form according to pre-set boundaries or “organically” within the city, as they are under the current charter.

Marc describes the process of carving out service areas, looking at maps, and soliciting feedback from residents. It was “evolutionary” for NAC, which covered elementary schools and voting districts initially. The process became more formal with the application to city, but seemed organic, and he prefers this to uniformity. He likes that the area councils operate differently, with different levels of debate, communication, and concern. He wouldn’t want them to become too formal.

Srdj: The NHAC originated over several key issues in the 70’s (i.e. Woolworth’s, Hyde). Recently they’ve been approached by people south side of Rte 9 and Crystal Lake area, who wish to be represented. As a result, NHAC obtained additional signatures required and had their boundaries expanded. He agrees with Marc that area councils are formed based on communities’ shared interests and provide for diversity of local representation. Villages are diverse in their issues. NHAC debated whether there should be a carved out map [for formation of area councils]. They voted for the status quo.

Anil makes point that the current charter does not place restrictions on multiple councils forming within an area. He views Newton as a city of villages and urges the Commission to consider village-based area councils with uniformity of powers, structures, etc.

Sallee wishes to discuss “access” and area councils’ valuable access to the city councilors and staff. Areas not covered lack the same access afforded to area councils, so everyone in Newton should belong to an area councils. Their formation/determining boundaries should not be put on area council shoulders. It is complex, and she has suggested the mayor go to map maker to fairly divide the city into areas that resemble neighborhoods. The map should be presented to the city council, which should [in turn] hold

public hearings for feedback about what is proposed. Though difficult to undertake, there should be a boundary for every area council. The borders should already be determined when area councils want to form. Parity as far as geography and density should be factors when creating boundaries.

Terry describes NNA's first Village Day and their achievements. Sometimes they make community gestures outside of the village, i.e. memorials, honoring people, and helping families. She views neighborhood associations as different from the area councils, and also highlights recent beautification efforts.

John Rice describes "top-down" vs. "village-up" regarding formation. Current villages are not reflected in the city maps (via city of Newton GIS). He describes "packed chambers" when possible Newton Centre area council was under consideration~and the wide range of residents who considered themselves part of Newton Centre. He describes the "boardwalk" between Waban and Newton Highlands which was formed after a public hearing because people strongly identified with one or the other. Flexibility is important for Charter Commission to consider.

Srdj agrees with John but has another point about system of notification w/area council formation, though he is not sure it pertains to Charter Reform. NHAC suggests there should be a formal mailing (early on, when 5% of signatures have been collected to change/expand boundaries) from city clerk's office so residents can become more involved. A second notification should take place when 20% have been obtained and prior to the public hearing. Notification is important and should be improved going forward.

Sallee points out that area councils have no funding and agrees that City Hall should handle mailings and notifications.

Question 3 focuses on elections.

Sallee: Area council elections should take place at the same time and same venues with municipal elections. They are legitimate officials elected to legitimate office. She thinks 25 signatures to be elected to an NAC seems reasonable.

Srdj: We should codify within charter that 25 signatures are required (Article 8, Sec. 3). He notes 3 out of 4 area councils have elections on election day, and Newtonville is going in that direction, as he understands it. Ballots should be available at all polling stations. Residents should be able to go to one polling station to vote for their area council representatives.

John Rice remembers when elections office would not oversee area council elections for Newton Highlands. The elections were held separately, i.e. in basements. The process has been smoother since overtaken by the elections office. He states that if area councils expand, the elections office may require additional staff to manage area council elections.

Jane asks Terry how the NNA forms its Board. NNA does not have elections ~ anyone is welcome to join the Board. She makes additional comments about how NNA operates.

Marc Kaufman states that the NAC elections held 2 elections on Village Day because many people in the area voted. However, they will shift over and hold their next election on election day. He is concerned about the dynamics when their small election joins the other local elections.

John Rice comments on Jane's question and outlines distinctions between associations' efforts as nonprofits and area councils. Associations (i.e. CVC Board, Waban Improvement Society) will often take on things area councils do not. They have different roles - "xyz" vs. "abc" and there is a synergy among them.

Anil comments that area council elections should not be held on a separate ballot, as it takes away from their legitimacy. The Commission should consider this if it is relevant to their work.

The next question is about neighborhood area councils' powers and functions (advisory and substantive) and the relationship between the area councils and city council.

Sallee states that WAC has only requested advisory powers. She states they have asked to be heard as a strong voice from their community and has been recognized as such. She does not believe area councils should be confined to an advisory role. If the size of the Council is reduced, maybe the area councils will be called upon to have a more extensive function for their service areas. She recommends the city council authorize all area councils to exercise the functions allowed under the city's charter with the recommended changes listed in the WAC letter to the Charter Commission. Their recommendation includes receiving public monies currently prohibited to them. For reasons of parity, she believes the City Council Resolutions enabling the powers of the area councils should be identical. This is another argument for having area councils cover the entire city.

Srdj - NHAC's role is advisory and they have not requested nor received substantive authority. He wants functions clause expanded to also reflect current needs of residents, i.e. transportation, parking, historical preservation, design review, open space, recreation, etc.

There is a clause that says the City Council cannot delegate any substantive powers related to zoning. Please check with law dept. If this is state law, then it does not need to be included. If it is not prohibited, then it is also unnecessary and is perplexing.

Terry is curious why there are only 4 councils for 13 villages, why more are not forming. She thinks the formal process inhibits formation. She stresses that associations are as effective as area councils and encourages other villages to form associations.

Marc Kaufman is "jealous" that the NNA is more effective creating change than they are in Newtonville. He likes that the current charter is vague because it allows the NAC to gather information and hear from the community. He describes their involvement with Austin Street, and how they raised issues that may have been missed by City Council. If charter specified responsibilities and if the purpose were to change, different kinds of people would run for area councils.

Anil - UPAC's role is also advisory and they work well with three city councilors. He agrees with Sallee that the area council role may expand if the City Council is downsized.

Sallee comments on Council approval of area councils and the City Council resolutions that define their roles. There may be 10 things they can do [via charter], but the resolutions can limit the authority. The Highlands council, formed long ago, has more powers, even if they are not using them. She re-emphasizes that all councils should be allowed the same powers for parity.

Karen Manning mentions that the resolutions and other Article 9 documentation is posted on newtonma.gov. Sallee describes a memo from the planning department addressing the powers of the area councils.

The panel members then describe sources of funding, expenditures, accounting.

Conversation highlights include:

Newtonville Area Council's fundraising occurs during Village Day and they have minimal expenditures. They hope some of their money will go toward toward sidewalks, benches, planters or lighting, for

instance. They are also asking local businesses for support.

NHAC raises money through booth sales at Village Day, their silent auction, and donations. Village days, the skating rink, beautification, and outreach require funds.

Srdj refers to Section 9-8, item 3. He would like area councils to be able to be able to accept money from the city and private sources. Delete “but not” and allow area councils to accept funds, i.e. for important projects. He believes there should be establishment of improvement districts for funds toward local projects. He would like to add an item 5 allowing for this.

WAC has received funding as the others do and via grants. They have reported their finances. She mentions that maintenance of area council treasuries is currently in limbo and an item is docketed asking for a Home Rule Petition for all area councils to handle their own funds, instead of as a city “gift account” with a pre-determined limit. She would like the Commission to help ensure via mandate that the Council moves this item forward. She feels income constraints has tied their hands with regard to mailings/ outreach.

Terry states NNA has no problems [with finances] - they have successful fundraisers, especially through Village Day.

Srdj suggests funds should be allocated via city council budget process. The area councils do a lot of work and should have budgets~they are elected officials.

Upper Falls has several sources of funding, but feels constrained by lack of funds. Their resources cover Village Day and the Soup social, and that’s really it. Funding is a concern for them, but challenging to undertake in addition to managing their activities.

(1:30 - 1:46 audio)

The group discusses their communication and outreach strategies. The groups are committed to outreach. Among their methods, the groups use websites, social media, newsletters, pamphlets, brochures and mailing lists to reach out to residents.

### **Public Comments (Article 9)**

Lynn Weissberg supports that participation in the area councils and building communities is worthwhile. However, should NAC’s should be codified in charter? Consider whether the work being done could not be done through a neighborhood association. Also, Newton has 13 villages but not 13 area councils. Her life has not been hampered by not having a Newton Centre area council. Should the most important organizing principle be villages? Perhaps groups should bond over issues. Should area councils stay in the charter? She thinks there is no need to have them elevated to that status. She does not consider the positions area councils have taken with regard to housing issues as representative, and they are given an edge that isn’t deserved. [Area Councils] shouldn’t carry a disproportionate voice over other organizations in the city. Nothing is gained and problems are created with existence of area councils.

Councilor Susan Albright, Commonwealth Ave. describes that in 2010 (when Mayor Warren took office), there was an attempt to foster civic engagement via the Community Engagement Transition Team. She cites definition of of public engagement (2010 Arizona State white paper), which looked at a range of public/citizen engagement methods. She believes the inclusion of area councils within the 1970 charter was the Commission’s attempt to foster citizen engagement in government. She consulted former Tufts Professor (and Public Policy Expert) Kent Portney [who had advised the community engagement transition team] and the two recommend:

1. Current charter is too prescriptive in some ways and not enough in others. Formal area councils should

be referenced in the charter, but the city council with advisors as needed should be charged with setting up mechanisms for how they operate.

2. There should be system-wide coverage of neighborhoods so all residents have access and achieve legitimacy across the city. Kent's book "The Rebirth of Urban Democracy" describes 5 cities which have been successful and urges complete coverage of city.

3. City Council and administration should determine contiguous boundaries -how many councils are needed, and the City Council should be charged with determining a fair system of election.

4. Consider whether business community should be represented, as it is currently spotty.

Kent's book describes elements of success, and does Newton have enough of these elements for area councils to be successful?:

1. Citizen groups and government leaders had strong motivation to make the system work.

2. Fundamental design [should be] sound and participation based on natural neighborhoods w/face to face interaction over issues.

3. The system [should be] city-wide from the beginning with system-wide information flow, and the city works closely w/councils. St. Paul area councils are given budget and staff. Partisan politics are avoided to achieve sophisticated political balance. Strong participation girds against problems and reversals. She suggests using Davenport Institute's (Pepperdine Univ. School of Public Policy) evaluation survey and urges Newton's use of the tool to gauge public engagement success.

She has a lot of respect for area councils but feels there is a problem with citizen participation. The fundamental question is whether Newton embodies the aforementioned elements of success, or is there a need to look at other solutions? Look at literature - can we have success with city-wide area councils? If yes, ask City Council should work with administration and be deliberative re: how it creates area councils and ensure participation.

Lois Levin: Agrees with Lynn Weissburg. She describes various organizations across Newton. Area councils may do wonderful things, but they are not across the whole city. Neighborhood Associations are successful. We need to step back and ask "Is this timely" before we include within charter.

Helen Rittenberg: She is against legitimizing area councils in the charter but supports community building. This is one city. Let's get Terry/s and John Rice/s and others to build community. We do not need anything else in our constitution - we have enough going. Let's do what we do right.

Delores Acevedo-Garcia: 129 Pine Ridge Rd., Waban. Charter Reform is critical to help us address our city-wide problems and the Commission should consider not including the area councils in the charter for several reasons. She agrees with other points about the community participation we already have. AC's are problematic w/representation. She is shocked by election numbers. In Waban, of 4000 registered voters, only 6% showed up to elect the council members. None had more than 180 votes, which reflects a participation issue. Do they adequately represent community, especially with regard to housing issues? She wants to discuss the WAC which she feels has limited affordable housing. As an elected body, WAC says it is representative [of all community views] but she believes WAC has chosen to be one-sided.

She and other Waban residents support need for denser, more affordable housing. WAC de-railed proposed 40B St. Philip Neri site proposal in Waban, and wrote to The MA Housing Finance Agency. She had written to WAC urging them to reconsider sending the letter on behalf of the community, and outlined omissions in their study/letter. She described the neighborhood meeting to air concerns as "heavily controlled"~ that some voicing dissent were discouraged from participating. WAC influenced affordable housing supply in Waban and Newton, and the developer's downsized proposal of St. Philip

Neri. She would like the commission to consider not including area councils in charter. WAC organizes against 40B and has lobbied city to use 1.5 percent land area criteria vs. 10% affordable units, which she believes puts the city in jeopardy for noncompliance with 40B. She supports community building, i.e. beautification and Village Days, but wants to capture the range of issues around area councils.

Councilor Ruthanne Fuller agrees with Sallee that the four area councils do have more access and more power. She was President of Chestnut Hill area Council and says “ditto” to everything Terry said. Chestnut Hill has no school, village center, community center, etc. but does have the college, Route 9, and is a historic district. They are definitely neighbors, make legal efforts, have neighborhood events, bylaws. She felt nervous about the fight/formality to get onto area councils, and [by contrast] there is no majority/minority with associations. Formal elections have beauty and democratic but associations are more inclusive in a way.

She heard Sallee’s arguments for money and responsibilities (not just advisory). Chestnut Hill membership said “no way” to forming as an area council - doesn’t want to force associations into the area council model. We need to listen to Delores: You are elected, but are you truly representative?

The parity issue means finding different ways to meet needs/wants, i.e. for Auburndale. She notes that area councils have city officials at their meetings on a regular basis as they should, though recently at a WAC meeting there were also 6, 7, 8 staff members. It’s tricky.

Also, how should area councils be formed if we “force it”, i.e. around schools (doesn’t work), ward, village center?

She wishes to discuss the financial dimension. It is uncomfortable if city provides money to area councils, [and not other areas of the city]. Do they go through the city books? They are part of charter but the City Council does not want to have to audit them. Going through their expense procedures would be a nightmare for everyone. There is a limbo period with finances that is uncomfortable all-around.

She wishes to address the panel about how much they would be undercut or set back if they were neighborhood associations and were to lose area council status?

Srdj likes the diversity and flexibility of having both area councils and associations. He encourages areas who don’t have them to form them. It’s good to have both and does not want them eliminated.

Sallee emphasizes WAC’s transparency and integrity. She thinks eliminating area councils would result in less involvement of citizens interested in political issues. Before WAC was the Waban Improvement Society’s whose focus is similar to that of NNA’s. However, Waban does not qualify for certain funding from the city. The area council gives opportunity for residents of Waban to bring their needs and concerns (political and otherwise) forward to the city council.

John: There would be significant negative impact if the area councils were dissolved in the Highlands.

Terry is concerned about providing budgets to NAC’s when associations would have no budgets. She stresses positive relationships with city staff and executives and community.

Councilor Deb Crossley commends the Charter Commission for being organized and for how discussions have been scheduled. She recommends concluding our work before revisiting decisions because the decisions are integrally tied to one another, including tonight’s issue.

The need to ensure the right balance of citizen input is also included in Article 10. Florence Rubin [from the 70’s charter review] had been interested in how can people can have a voice, engage, and/or question decisions. She notes Newton holds an extraordinary number of public hearings

on a broad range of topics, and there are many ways officials can be reached, i.e. email. That aside, an organized group gains power when talking to city council, mayor because of numbers. If they are truly representative, then that is a powerful voice. The council is approached by many groups who organize in various ways, and they need to sometimes do a little “digging” to verify validity. She has some questions, some of which have been asked:

How should the charter recognize and regulate area councils? Why? What are the benefits to the city at-large and to the voices of the people we want to hear. If formalized, why should a resident need to be a registered voter or citizen to participate in what goes on in the defined area? Terry Sauro is impressive, and this is not an issue with a less formalized group. Would there be less involvement across the city? She was on board of LWVN for 20 years, and knows it is not easy to get a good representative sampling of how people feel. Does recognizing area councils and regulating area councils in charter impact citizen involvement? Is there a burden on city resources? Is it reasonable? Some organizations capture councilors’ attention more than others where attention is most needed. What is the value of recognizing a particular entity and not others in charter? Is it fair? Should some neighborhoods have greater access to city officials and staff than others? If they are included, how should the access be reasonably limited and regulated since city resources are not limitless?

Kathleen Hobson: Dorset Road, Waban. Area councils add a layer of government we don’t need. She understands they were formed to help with citizen involvement, but believes people can organize on their own to lobby for change or no change. Area councils are supposed to be neutral and unbiased, but 2 key paragraphs from the 1974 NHAC board order (for formation of NHAC) are not included in the other three board orders. These paragraphs ensure that the council has heard from a “fair and generous sample” of voters presumably with diverse views before conveying anything from neighborhood to city council. If area councils are still included in charter, she would recommend inserting language about the fair collection and reporting of voter opinions. Disallow attempt to convey neighborhood “consensus”, especially when it comes to land use.

WAC has mostly not been neutral since its inception. WAC was borne when there was controversy around Engine 6 (using firehouse as housing for homeless), which she and other neighbors supported. WAC [not in support] met with the mayor on this topic and did not include all views, and the Mayor withdrew his support. Engine 6 filed complaint with HUD. Area councils are not like other groups, as they are afforded special authority and they do not deserve it. WAC opinions are on one side, and they don’t like MGL 40B. She attributes the failure of the St. Philip Neri Project to WAC. Since summer of 2013, she believes Waban feels like a gated community and WAC determines who gets in and who doesn’t.

Chris Pitts is VP of the Waban Improvement Society. WIS does “nice stuff” such as running the library and beautification. These kinds of organizations focus on community building and non infrastructure issues. However, now is most important time for area councils. Area councils are in hot spots because of development proposals, schools, and traffic/safety, which are issues most important to citizens. They are not necessarily against affordable housing, but the way subsidized housing is being built or proposed is “adverse to what the people would like” The 80/20 percentage of 40B doesn’t work. He says they are wide open and formality/protocol does not keep people from speaking at area council meetings. WIS focuses on community while WAC focuses on issues. He likes that area councils dove in and learned about housing, zoning, and where the holes are and have been hearing from residents who are perplexed. The system for a single citizen to raise a complaint is daunting, and Area Councils try to help people deal with that. John Rice knows about community building and working with organizations and is an effective councilor. He approves of area councils. Another neighborhood is “under attack”. Where’s Oak Hill? Councilors have influence over their formation.

Sue Flicop, 145 Florence St., Newton, has been board member of Chestnut Hill neighborhood association for several years. She loves community building. She is concerned about the other part of what area councils do~ and now feels she is in an under-represented part of Newton. For instance, she has not been able to get traffic calming measures on her street, to no avail. She feels it is a failure of her city



government if they do not address her concerns, and can see why people would want to turn to an area council. However, she does not think area councils as another layer of government is what is needed. We all vote for another layer in having area councils for whole city. If we were to remove ward councilors, we would basically be adding them back. A Planning Department report reflects that city staff is demoralized because they do not have enough people in the department and have to work with 24 councilors. If [the Commission] were to take away councilors but add 13 area councils, she believes this would not work out. She agrees with concerns about money. She loves citizen engagement and there are plenty of ways to engage. She feels area council growth has happened because of a void, but it does not need to be enshrined. We do not want to leave this behind for 20, 30, years.

Nathaniel Lichten, 53 Pinecrest Rd., Newton Highlands

He cites reasons people have put forward for not having area councils and challenges their points.

1) There are only 4 area council, but anyone else can have them. Chestnut Hill and Nonantum chose not to. Don't take away the choice.

2) People don't agree w/area council decisions. However, they are elected bodies and transparent. If people disapprove of decisions, then they can be voted out. NHAC runs in open meeting and encourages participation throughout its meetings.

3) He acknowledges area councils are not elected by large numbers of people. He agrees outreach needs to improve, but it's not a reason to get rid of them to make them more representative. If the Commission downsizes the Board, then it is getting rid of people regular citizens can go to. If eliminating area councils, then 13 councilors are the sole points of contact for the entire city? He would hate to see what that would be like. Reducing contact points and opportunities for area councils to resolve problems is a mistake. Area councils can help address very local issues.

He does not feel city funds should be set aside automatically. However, the opportunity should not be precluded if at some point in the future, the city council and mayor wish to provide funds for programs and community outreach.

Meeting adjourns at 10p.m.

Documentation used:

Agenda:

<http://www.newtonma.gov/civicax/filebank/documents/77629>

Discussion Guide:

<http://www.newtonma.gov/civicax/filebank/documents/77426>