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To: Councilor Rebecca Walker Grossman, Chair Finance Committee

Cc: Mayor Ruthanne Fuller
Jonathan Yeo, C.O.O.
All City Council Members
Nadia Khan, Acting Clerk of the Council
Susan Djikowski, Comptroller

From: Maureen Lemieux, C.F.O.

Date: June 16, 2021

Subject: Responses to FY2022 Budget Resolutions

Please accept this communication as the Administration's responses to the FY2022 budget resolutions submitted by the Honorable City Council on June 14, 2021.

Budget Resolution #1 - Inspectional Services Department

Resolution regarding additional staff for ISD

Submitted by Councilors Krintzman, Laredo, Downs, Baker, Albright, Bowman, Greenberg, Noel, Leary, Malakie, Oliver, Grossman, Lipof, Wright, Danberg

Requesting that additional resources be made available to the Inspectional Services Department for an additional full-time position for enforcement of zoning code, special permit requirements, and other violations under the purview of ISD, and other related matters.

Administration Response: See #3 below.

Budget Resolution #3 - Inspectional Services Department

Resolution regarding additional ISD staff for mediation

Submitted by Councilors Ryan, Humphrey, Downs, Bowman, Greenberg, Noel, Wright, Danberg
Inspectional Services should be provided with full-time staff for new roles in neutral mediation and resolution of property disputes and quality of life ordinances such as noise violations, construction work site regulation, and sidewalk snow clearance in commercial areas; this change would reduce the burden on Newton Police.

Administration Response:

Although Resolution #3 has not yet been forwarded to the Administration, both Resolutions #1 and #3 request additional staffing in the Inspectional Services Department, therefore, we are providing one combined answer.

The Administration is committed to having a well-staffed Inspectional Services Department. Several years ago, the City increased the ISD inspectional staff when permit and enforcement demand increased. While permit applications have declined over the past few years, we have maintained those staffing levels. The Zoning Enforcement Officer has been making significant progress in promptly responding to new complaints and to address the backlog of issues. At this time ISD inspector positions are fully staffed and the Commissioner does not believe an additional full-time position is warranted.

The Mayor included for the first time in the FY2022 Budget the addition of a seasonal leaf-blower compliance inspector for spring and fall months so that the City can proactively ensure that landscapers and homeowners are utilizing leaf blowers that conform with the City's ordinance and new registration regulations. We look forward to supplementing our leafblower compliance efforts with this additional seasonal position.

Regarding quality of life issues mentioned in the resolution, ISD continues to address noise violations and construction work site rules. Some issues, including vibration monitoring and pest management requirements, may need further improvements by the Council and/or Administration working together. The Administration will work to address concerns about commercial sidewalk shoveling enforcement. The Administration will continue to assess the most effective and efficient way of addressing issues, including which Department is best suited to do so.

ISD's role does not include (and should not include) "neutral mediation and resolution" on property disputes.

Budget Resolution #2 - Health & Human Services Department

Resolution regarding non-police first responder pilot program

Submitted by Councilors Ryan, Humphrey, Bowman, Wright, Danberg

Requesting that Newton should pilot a non-police community first responder program to deal with calls for help that involve social and wellness issues.

Administration Response:

Newton's ability to support our residents who are suffering from mental health issues is critically important. As a community, we want to improve our responses during mental health crises and try to prevent them from occurring. The City of Newton has invested in this support in the past few years with new social work positions in the Health and Human Services (HHS) Department, the Police Department and in the Newton Public Schools. (We also have a social worker in our Senior Services Department.) We are investing even more in the upcoming fiscal year with additional funds for new mental health and substance use services.

Our goal is to create better community-based support services so Newtonians have more options beyond simply calling the police when they face a crisis. By strengthening support services, health professionals can meet the mental health and other basic needs of community members to help avoid conditions that can precipitate actual or perceived mental health crises that precipitate 911 calls. That said, police will continue to respond when a community member requests assistance via the 911 and/or when a weapon, physical threat, or domestic or other potential violence is involved.

We are paying close attention to innovative models for social work first response around the country (e.g., Denver and Eugene) and are committed to continuing to learn more about these and consider whether there are models and/or practices that are effective, safe and cost effective that we

might incorporate into our City in the future. This will be a component of the year ahead as we work to both review current policing practices and enhance mental health supports throughout the City.

For FY2022, a lot of new initiatives around mental health and policing are moving forward. These will require a significant investment in time. We are excited to learn from these efforts as we begin to consider additional programs or pilots.

We will provide additional training in FY2022 to all officers on defusing critical incidents. All Newton Police Officers will be provided access to **Crisis Intervention Training**, including de-escalation classes with the Norfolk County Crisis Intervention Team (CIT) Training & Technical Assistance Center. The CIT Training is a 40-hour course in which officers are equipped with the knowledge and skills to guide best practice response to individuals impacted by unmet mental health issues, developmental disorders, and co-occurring substance use issues. It includes de-escalation techniques, including disengaging, using verbal persuasion, waiting a situation out, and taking cover. This training is also important as a police officer can initiate a “section” based on a section 12 (mental health), section 35 (alcohol/drug commitment), and/or protective custody for incapacitated people due to alcohol or drugs. (By state law, in an emergency situation, if a physician, qualified psychologist, qualified psychiatric nurse mental health clinical specialist or licensed independent clinical social worker is not available, a police officer, who believes that failure to hospitalize a person would create a likelihood of serious harm by reason of mental illness may restrain such person and apply for the hospitalization of such person for a 3–day period at a public facility or a private facility authorized for such purpose by the department.)

All officers will also participate in additional **scenario-based simulation trainings** to provide real life opportunities to practice de-escalation and best practices on the use of force continuum with updated simulator technology. (The CIT training includes scenario-based simulation trainings as well.)

We will provide all officers with **Active Bystandership for Law Enforcement (ABLE)** training. Offered by Georgetown’s Innovative Policing Program, Project ABLE Training builds a culture of peer intervention and active bystandership within police departments. The training teaches officers to know how to intervene with each other to prevent harm. Notably, this training will reinforce the recently passed Massachusetts policing reform bill which created a duty to intervene. Roll-call training can be very valuable and Chief Carmichael supports “Reverse Mentoring” roll-call trainings where officers specialized in certain areas trains other officers using their expertise.

Many mental health crisis calls are frequently called in as a call for service other than mental health. The mental health element may be undetected initially, so police and social workers need to work collaboratively. Crisis Intervention Training (CIT) will be crucial for officers to recognize mental illness better and include social workers. We will continue to **advocate for our State, regional and local partners to provide adequate community-based services**, such as crisis hotlines, walk-in centers, mobile crisis teams, peer crisis support services, and crisis stabilization units to meet the needs of people in mental health, substance use, or other crises.

We will **invest in more mental-health support resources here in the City**. As a City, we can and will invest more to link our residents to the available resources that offer accessible, comprehensive, and culturally sensitive mental health care. We have a social worker within the Police Department and additional social workers and guidance counselors in our Health and Human Services, Senior Services and School Departments doing just that. We currently provide additional support for

mental health and substance use services by contracting with professionals, including Riverside Community Care for clinical care of children and adults and free access to residents to the William James College mental health counseling referral services Interface. NPD is an active participant in Communities for Restorative Justice. We will continue to seek to make more investments in this area.

In those instances when 911 is called, we need to keep improving our responses and interventions to people having mental health, development disability, substance use, or trauma crises. As noted earlier, we will provide more training for our officers. We are exploring new paths for people who come into the court system to be diverted to mental health resources when appropriate. We are working more with community partners to develop crisis response approaches, improve the effectiveness of our response efforts, and develop a network of services to direct people in crisis to appropriate health services. We will continue to understand and implement best practices. We will evaluate this year having a mental health police officer and/or an additional social worker embedded within the Police Department to pair with officers to respond and follow up to crises even as our current social worker continues to develop more ways to improve our responses.

The FY2022 budget includes funds for specific initiatives to strengthen our response to crises, including:

Community Crisis Intervention Team (CCIT): After several months of planning, we initiated a Community Crisis Intervention Team in March 2021. Our goal is to promote communication and enhance the response of the City of Newton and private agencies with individuals who are mentally ill, developmentally disabled, struggling with substance use or experiencing trauma in their lives. Our Community Crisis Intervention Team is co-led by staff from the Newton Police Department and Newton Health and Human Services, with partners from the Newton Fire Department, Newton Public Schools, the Newton Department of Senior Services, Fallon Ambulance, Advocates, Newton-Wellesley Hospital, the Massachusetts Department of Mental Health, the Newton Housing Authority, and a local mental health agency, Riverside Community Care.

Mental Health Court Sessions: Staff from the Newton Police Department and Newton Health and Human Services are working with Judge Heffernan, staff from the Newton District Court, and knowledgeable residents to assess whether mental health court sessions are a feasible and useful strategy in Newton.

These specialized mental health court sessions provide an alternative to incarceration by providing intensive social services and mental health treatment for defendants who have serious mental illness or co-occurring mental health and substance use disorders. A mental health clinician, in consultation with a probation officer, creates a service plan. A service plan may include referrals to mental health treatment, substance use treatment, housing, education, and employment opportunities. In essence, it is a collaborative effort between the criminal justice and the mental health treatment systems. The goal is to improve the quality of life of individuals with mental illness through access to comprehensive services rather than incarceration. Public safety is improved and recidivism reduced. If we implement this model, the City of Newton will need additional clinical support which we expect to obtain by contracting with professionals in a community organization.

The FY2022 proposed Budget for the Health and Human Services Department includes this funding.

Taking the One Mind Pledge: Chief Carmichael believes the Newton Police Department should join the One Mind Campaign. This campaign seeks to ensure successful interactions between police officers and people in crisis and/or with mental health issues or disorders. The initiative seeks to bring the three different organizations together to be of one mind: first responders, mental health organizations and the local community. The Newton Police Department must pledge to implement four best practices within at 12 to 36 month time frame. These include a clearly defined and sustainable partnerships with one or more community health organizations, developing and implementing a model policy addressing the Department's response to people in crisis and/or with mental health issues or disorders, training and certifying 100% of sworn officers and selected non-sworn staff such as dispatchers in mental health awareness courses such as Mental Health First Aid training, and collaborative crisis response training to a minimum of 20% of sworn officers and selected non-sworn staff.

We will also pay close attention to the work of a newly created statewide Community Policing & Behavioral Health Advisory Council. By July 1, 2022, a study and report of the Community Policing & Behavioral Health Advisory Council on crisis intervention and jail diversion models is due with final recommendations to strengthen non-police responses to community health crises and jail diversion coming July 1, 2023.

In addition, we will be interested in the pilot Middlesex County Restoration Center initiative being undertaken by Sheriff Peter Koutoujian. This is a facility where law enforcement could send people with substance use or mental health disorders for treatment rather than into the criminal justice system.

Meanwhile, the Health and Human Services team will continue its work connecting our residents with mental health issues to longer term resources. This work includes residents who are referred to us by the police. HHS staff also does case conferences and discusses best response plans for residents who are known to have mental health issues and are having incidents that involve the police.

In summary, these issues are both extremely important and complicated. We are committed to taking the time to understand the issues and to develop the right mix of strategies and solutions for Newton. We look forward to having meaningful dialogue with the Honorable City Council on these issues and to providing periodic updates on the progress of all our initiatives.

Budget Resolution #4 - Planning Department

Resolution regarding additional staff to promote walkability/bikeability

Submitted by Councilors Bowman, Humphrey, Downs, Greenberg, Ryan, Danberg

Requesting that Newton increase full-time staff specializing in transportation to facilitate walking and biking to schools, to promote walkability, bikeability, accessibility, safety, and climate action goals equitably.

Administration Response:

The Administration is committed to making school routes safe, accessible, walkable, and bikeable and supporting climate action goals equitably.

The City has made tremendous progress in the last several years in planning and coordination around transportation improvements, especially involving our important routes to school. Nicole Freedman, our Director of Transportation Planning, coordinates a bi-weekly planning meeting around transportation projects which includes representatives from Safe Routes to School, Public

Works, the City's ADA Coordinator, the Police Department, the Executive Office, and a member of the Transportation Advisory Group. During the pandemic, Ms. Freedman led a successful, expedited effort to improve bike and pedestrian access to schools.

NPS has been working diligently with various stakeholders, including school principals, transportation vendors, Safe Routes to School members and City partners to promote walking, biking, and bus ridership as part of its Transportation Steering Group. In addition, NPS has been working on safety measures with the Department of Public Works staff and Transportation Planning staff around various schools throughout the City, including various trials during COVID. NPS has also shifted the high school start time to 9 a.m. and, based on survey results, this has the potential to significantly increase alternates to personal vehicle transportation to school, such as bus ridership, walking and biking.

NPS and City staff will continue to work collaboratively to facilitate walking and biking to schools, and to promote walkability, bikeability, accessibility, safety, and climate action goals equitably. We are grateful for the many allies and helpers in the community who work with us on our shared goals.

Budget Resolution #6 - Planning Department

Resolution regarding increase in funds for conservation projects and maintenance

Submitted by Councilors Albright, Laredo, Greenberg, Downs, Baker, Leary, Bowman, Kelley, Humphrey, Grossman, Lipof, Wright, Danberg

Change the line for Capital projects under Conservation (Account No. 0111471-5841000 – Grounds Improvement) to allow funds to be used for capital and/or maintenance projects. Currently the fund is only \$25,000 which is insufficient. The City Council resolves to add \$30,000 to these funds to total \$55,000 - which would include physical projects as well as maintenance. Among the projects this increase would support are increasing accessibility, creating new trails, creating trail markings in existing trails, ridding grounds of invasive plant material and adding native and pollinator species. This should be an annual appropriation which would reflect our residents' priority on maintaining and enhancing our open space.

Administration Response:

The Administration is committed to supporting the accessibility and maintenance of our conservation areas.

Until the last few years, the City has had sufficient funds in this account and ended each year with unspent funds. Fortunately, in the recent 18 months, the Conservation staff have moved forward addressing the following backlogged projects using unspent prior-year funds:

- Hazard Removals
 - Hazard tree removal (\$17,545)
- Large-Scale Maintenance
 - Houghton Pond hydorraking (\$26,000)
 - Boardwalk and fence work (\$5,500)
- Capital Improvements
 - Accessible path at Dolan Pond (\$9,800)
 - Stairs to Webster Woods (\$9,600)
 - Trail creation and invasives control to open the Old Deer Park (\$2,000)

Therefore, the Administration is pleased to increase the FY2022 Conservation Grounds Improvement funding from \$25,000 to a total of \$50,000. We look forward to addressing needs in new open spaces such as Webster Woods and the Old Deer Park, improving accessibility and

connectivity, restoring existing infrastructure, ridding grounds of invasive plants, and addressing hazard trees, We ask that the City Council approve making the following amendment to the FY2022 Budget at the appropriate time:

Increase Acct # 0111471-546000	\$25,000	Conservation Grounds Maintenance
Decrease Acct # 0110498-579000	\$25,000	Current Year Budget Reserve

Please know that while this account is named “Conservation Grounds Maintenance,” it is used both for small capital improvements and large maintenance projects (e.g. trail and fence projects, wetlands work, hazardous tree removal).

Budget Resolution #7 - Planning Department

Resolution regarding a Bike, Pedestrian and Accessibility Plan

Submitted by Councilors Bowman, Downs, Noel, Leary, Albright, Humphrey, Grossman, Ryan, Lipof, Wright, Danberg

Fund the development of a comprehensive bike, pedestrian, and accessibility plan in support of the Climate Action Plan’s goal to shift vehicle trips to biking and walking trips which also supports Safe Routes to School, economic development, accessibility, and the Open Space Plan.

Administration Response:

The Administration shares the goal of Councilors to develop a comprehensive bike, pedestrian, and accessibility plan in support of our goals of making Newton more walkable, bikeable, livable, healthy, safe and resilient.

We will continue to seek to actively incorporate pedestrian, bicycle, and accessibility accommodations in City infrastructure projects as part of our best practices when designing transportation related projects.

The City’s “Complete Streets” working group meets bi-weekly to incorporate pedestrian, bicyclist and accessibility features in forthcoming capital and maintenance projects. In addition, all major capital projects (such as the recently completed West Newton Square and Newtonville projects) have been designed with these considerations. Each year the City is making significant progress on bike, pedestrian and accessibility features to impact school zones, village centers, and park areas.

The development of a comprehensive Bike, Pedestrian and Accessibility Plan for the City is an important next step and will help us coordinate and prioritize projects. We are currently evaluating strategies on how best to move forward in developing the Plan and look forward to discussing the approach and the funding with the City Council this fall.

Budget Resolution #13 - Planning Department

Resolution regarding discrimination in rental housing

Proposed by Councilors Malakie, Norton

Requesting that Newton establish a "matched pair" testing program to determine the extent of, and discourage, discrimination in rental housing in Newton, as was found in the 2020 study "Qualified Renters Need Not Apply: Race and Voucher Discrimination in the Metro Boston Rental Housing Market" that included but did not break out data for Newton.

Administration Response:

The Administration is committed to understanding the extent of and discouraging discrimination in rental housing in Newton.

The City's recently completed FY2021-2025 WestMetro HOME Consortium Analysis of Impediments to Fair Housing Choice includes a specific recommendation to identify and address discriminatory actions in the private real estate market by hiring a qualified consultant *to conduct fair housing testing in each Consortium community to allow for statistically significant data*. The Consortium is in the process of developing a Request for Proposals to hire a consultant to implement a Consortium-wide fair housing testing strategy over a two-year period and has allocated \$100,000 of WestMetro HOME Consortium dollars to pay for this program.