

## **Programs & Services Committee Agenda**

## City of Newton In City Council

Wednesday, June 8, 2022

#### 7:00 PM

The Programs & Services Committee will hold this meeting as a Zoom Meeting on Wednesday, June 8, 2022 at 7pm. To view this meeting using Zoom use this link: <a href="https://us02web.zoom.us/j/82265143746">https://us02web.zoom.us/j/82265143746</a> or call 1-646-558-8656 and use the Meeting ID: 822 6514 3746.

#### **Items Scheduled for Discussion:**

#### #263-22 Request for Discussion and Amendments to the Noise Ordinance

<u>COUNCILORS BAKER, HUMPHREY, NORTON, RYAN, AND WRIGHT</u> recommending discussion and possible amendments to strengthen the City's noise ordinance and its administration, including those provisions relating to construction and landscaping activity.

#### #198-22 Request for leaf blower ordinance discussion and amendments

<u>COUNCILORS BAKER, HUMPHREY, AND NORTON</u> recommending discussion of possible amendments to strengthen the ordinances relating to leaf blower activity.

Programs & Services Held 7-0 (Councilor Krintzman not voting) on 04/06/22

## Referred to Public Safety & Transportation and Programs & Services Committees

## #108-22 Requesting report as to the implementation of the leaf-blower landscaper registration and enforcement

<u>COUNCILORS BAKER, GREENBERG. HUMPHREY, NOEL, ALBRIGHT, AND WRIGHT</u> requesting a report from the Executive Department, including the Chief of Police and the Commissioner of Inspectional Services, as to the implementation of the leaf-blower landscaper registration and enforcement ordinance amendments effective Labor Day 2021.

Programs & Services Held 7-0 (Councilor Krintzman not voting) on 04/06/22

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the City of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: <a href="mailto:ifairley@newtonma.gov">ifairley@newtonma.gov</a> or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

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## #58-22 Request for a discussion with ISD regarding noise ordinance Compliance

<u>COUNCILORS BAKER, RYAN, AND WRIGHT</u> requesting discussion with Inspectional Services about possible ways of enhancing compliance with the provisions of Newton's noise ordinance which limits construction activity to certain times of day and on Sundays and legal holidays, including possible additional measures to advise contractors and subcontractors of applicable rules to minimize the need for complaint driven enforcement by city staff or police. (formerly #98-20)

**Zoning & Planning voted No Action Necessary 8-0 and Referred to Programs & Services on 01/24/22** 

Programs & Services Held 7-0 (Councilor Krintzman not voting) on 04/06/22

### **Referred to Programs & Services and Finance Committees**

#### #339-22 Transfer \$125,000 from the Current Year Budget Reserve

HER HONOR THE MAYOR requesting authorization to transfer the sum of \$125,000 from Acct # 0110498-579000 Current Year Budget Reserve to fund engineering consultants required for the design of the turf fields at the high schools.

### Referred to Programs & Services and Finance Committees

## #340-22 Appropriation of \$184,244 from June 30, 2021 Certified Free Cash

<u>HER HONOR THE MAYOR</u> requesting authorization to appropriate and expend the sum of one hundred eighty-four thousand two hundred and forty-four dollars (\$184,244) from June 30, 2021 Certified Free Cash to resurface the tennis court complex at Newton North High School comprising of 10 courts.

## Referred to Programs & Services and Finance Committees

#341-22 Transfer \$80,000 from the PRC Public Grounds Maintenance Full Time Wages

HER HONOR THE MAYOR requesting authorization to transfer the sum of eighty thousand dollars (\$80,000) from Acct #1060252-511002, PRC Public Grounds Maintenance Full Time Wages to the following accounts:

Beaut-Grounds Maint	
(0160238-546000)	\$12,000
Public Grounds Maint	
(0160252-546000)	\$13,000
Public Grounds Maint	
(0160252-546000)	\$30,000
Rec Bldg's- Electricity	
(0160237-521000)	\$15,000
Rec Vehicles- Gas/Diesel	
(0160236-548000) \$10.000	

## **Referred to Programs & Services and Finance Committees**

#### #342-22 Transfer \$360,000 to a Parks, Recreation and Culture Account

<u>HER HONOR THE MAYOR</u> requesting authorization to transfer and expend a sum of three hundred sixty thousand dollars (\$360,000) from the below accounts to a Parks, Recreation and Culture project account to fund the resurfacing of the Newton Centre Playground.

(0111154-511001) \$80,000

#### #299-22 Reappointment of Eileen Sandberg to the Commission on Disability

<u>HER HONOR THE MAYOR</u> reappointing Eileen Sandberg, 260 Franklin Street, Newton as a member of the Commission on Disability for a term of office to expire on May 31, 2025. (60 days: 07/15/22)

## #300-22 Reappointment of Sharon Stout as a Newton Library Trustee

<u>HER HONOR THE MAYOR</u> reappointing Sharon Stout, 227 Washington Street, Apt. 2, Newton as a Newton Library Trustee for a term of office to expire on June 30, 2027. (60 days: 07/15/22)

## #301-22 Reappointment of Jean Notis-McConarty as a Newton Library Trustee

<u>HER HONOR THE MAYOR</u> reappointing Jean Notis-McConarty, 122 Temple Street, West Newton as a Newton Library Trustee for a term of office to expire on June 30, 2027. (60 days: 07/15/22)

#### #302-22 Reappointment of Geline Williams as a Newton Library Trustee

<u>HER HONOR THE MAYOR</u> reappointing Geline Williams, 12 Hereford Road, Waban as a Newton Library Trustee for a term of office to expire on June 30, 2027. (60 days: 07/15/22)

Respectfully Submitted,

Josh Krintzman, Chair

## **City Council**

2022-2023 City of Newton

June 3, 2022

Members of the Programs & Services Committee

RE: Preparing for the discussion of noise and leaf blower items on June 8

Dear Members of the Committee:



The noise and leaf blower docket items on the Committee agenda for June 8 are set out below. Below each item is a brief indication of some of the issues or information anticipated for Committee discussion. I have invited Police Chief Carmichael, Commissioner of Inspectional Services Lojek, the enforcement staff of the Inspectional Services Department (ISD), Chief Operating Office Yeo, and Ms. Lawlor and Mr. Temple of the Law Department to join the Committee so that we may be informed, deliberate, and vote whatever actions we deem appropriate. As part of the background for our discussion, I have asked the Clerk of the Committee, Mr. Giacalone, to attach copies of Vice-Chair Noel's prior two letters on behalf of the Committee. The overall objective is to consider any further amendments that will enhance the purposes of the noise ordinance and enhance compliance so that responses needed by either Police or ISD are reduced.

#58-22 Request for a discussion with ISD regarding noise ordinance Compliance

COUNCILORS BAKER, RYAN, AND WRIGHT requesting discussion with Inspectional Services about possible ways of enhancing compliance with the provisions of Newton's noise ordinance which limits construction activity to certain times of day and on Sundays and legal holidays, including possible additional measures to advise contractors and subcontractors of applicable rules to minimize the need for complaint driven enforcement by city staff or police. (formerly #98-20)

Zoning & Planning voted No Action Necessary 8-0 and Referred to Programs & Services on 01/24/22

Programs & Services Held 7-0 (Councilor Krintzman not voting) on 04/06/22

Chair's note: The Committee, through Vice-Chair Noel, had asked for clarification from the Newton Law Department if the Noise Ordinance could be amended to allow a stop work order to be a remedy for construction noise violations in addition to the fines now available, and if not, what authorization is needed, including Police as well as ISD enforcement, as construction work on Sundays and Holidays can only be enforced by the Police. I hope the Law Department will be prepared to respond to our questions, and offer appropriate amending language, if this is an option. The Committee may also want to consider increasing the fines for work on Sundays and holidays where scofflaw contractor violations have been observed.

## Referred to Public Safety & Transportation and Programs & Services Committees

#108-22 Requesting report as to the implementation of the leaf-blower landscaper registration and enforcement

<u>COUNCILORS BAKER, GREENBERG. HUMPHREY, NOEL, ALBRIGHT, AND WRIGHT</u> requesting a report from the Executive Department, including the Chief of Police and the Commissioner of Inspectional Services, as to the implementation of the leaf-blower landscaper registration and enforcement ordinance amendments effective Labor Day 2021.

#### Programs & Services Held 7-0 (Councilor Krintzman not voting) on 04/06/22

Chair's note: The Committee understands that the new part-time ISD enforcement officer, Charles Edrehi, has been active in the last few weeks. It will be helpful to learn of his experience so far. Questions that Chief Carmichael and Commissioner Lojek, or their staffs, may be asked to include how information is shared, how repeat violators are handled, how and when the current online brochure will be updated, whether the new permitting software can include information about contractor registration and violations, any challenges for effective enforcement for which ordinance amendments or ISD regulations are appropriate, and how residents can best report violations to the police and to ISD.

#### #198-22 Request for leaf blower ordinance discussion and amendments

<u>COUNCILORS BAKER, HUMPHREY, AND NORTON</u> recommending discussion of possible amendments to strengthen the ordinances relating to leaf blower activity.

## Programs & Services Held 7-0 (Councilor Krintzman not voting) on 04/06/22

Chair's note: Councilor Baker has consulted with the Police and ISD Departments to determine possible strengthening amendments to the ordinance. Ms. Lawlor of the Law Department has prepared a draft of possible revisions, which include making alteration of the manufacturer's label and offense, including all fines for violations within the leaf-blower section of the noise ordinance for clarity, and increasing the fine for offenses after a warning so as to increase compliance and avoid the difficulty of determining whether a second, third or fourth offense has occurred. As the summer ban on gas-powered leaf blowers is now in effect, the Committee may wish to discuss longer range amendments, such as limiting the number of leaf blowers in use on a site, as some municipalities have done, requiring electric machines year- round or limiting leaf blower activity in general, as some municipalities have voted to do. The Committee may, of course, recommend some amendments now, and defer consideration of others until later.

## **#263-22** Request for Discussion and Amendments to the Noise Ordinance

<u>COUNCILORS BAKER, HUMPHREY, NORTON, RYAN, AND WRIGHT</u> recommending discussion and possible amendments to strengthen the City's noise ordinance and its administration, including those provisions relating to construction and landscaping activity.

*Chair's note:* This item can be a vehicle for possible amendments to the Noise Ordinance outside the leaf-blower section. It could include amendments in response to the discussion of docket item #58-22, above. Again, some amendments might be considered now, and others later.

Sincerely,

Councilor Josh Krintzman, Chair, Programs and Services Committee

## Chapter 20, Sec. 20-13(h) and Chapter 17, Sec. 17-23 (c) and (d):

(h) Restrictions on use of leaf blowers.

Notwithstanding the provisions of sections 20-13 (f) and (g), no property owner or the operation of leaf blowers on property under their control; no contractor or commercial landscaper, including a City contractor or employee, shall use or operate or authorize or permit any agent or employee to use or operate a leaf blower; nor shall any person use or operate a leaf blower within the City unless they do so in compliance with the provisions of this section. The following definitions shall apply to this section:

Leaf blower: any portable motorized device, whether carried or pushed, whether powered by gasoline or other fuel, electricity or battery, used in any landscape or property construction or maintenance activity, for the purpose of blowing, dispersing, redistributing, or removing dust, dirt, leaves, grass or plant clippings, litter or other debris.

Commercial leaf blower operator: any individual, entity or organization, including a contractor or commercial landscaper, that receives compensation for services that include operation of a leaf blower.

- (1) Summer Ban. No leaf blower may be operated from Memorial Day through Labor Day in each year, except that one 65 dB(A) electric or battery powered leaf blower per lot may be used during this period subject to the permitted hours of use specified in Subsection (2) below. At all other times leaf blowers may be operated subject to the following provisions:
- (2) Permitted hours of use. Leaf blowers may be operated only during the following times:

Monday - Friday: 7:00 a.m. - 5:00 p.m., except that the City of Newton, through its parks, recreation and culture department, shall be allowed to use leaf blowers prior to 7:00 a.m. for the sole purpose of maintaining city village centers.

Saturday: 8:00 a.m. - 5:00 p.m.

Sundays and legal holidays: prohibited except for operation by a resident of the property on which the leaf blower is operated between 9:30 a.m. and 5:00 p.m.; and except for operation of leaf blowers on contiguous lots under single ownership that total a minimum of thirty acres used for institutional or recreational purposes between 9:30 a.m. and 12:00 p.m.

- (3) Only leaf blowers meeting the following criteria are permitted for use:
  - A. Leaf blowers must be manufactured after January 1, 2005 for EPA Class 4 engines and after January 1, 2008 for EPA Class 5 engines;
  - B. Leaf blowers must bear an affixed manufacturer's label indicating the model number of the leaf blower;
  - C. Leaf blowers must bear an affixed manufacturer's label documenting a noise rating of 65 dB(A) or less;
  - D. <u>Manufacturer's labels documenting noise rating and model number on Leaf Blowers</u> must not be altered or concealed; and
  - E. Leaf blowers may only be used with any muffler, full extension tube and sound attenuating devices supplied by the manufacturer of the leaf blower. Non-factory modifications are not permitted.
- (4) During times of emergency caused by a storm or other special circumstance, the Mayor or his designee may temporarily suspend application of all or a portion of this section for purposes of cleaning up from such storm or other special circumstance.
  - (5) The provisions of section 20-13 (i) shall not apply to leaf blower o peration.
- (6) Any violation of the restrictions contained in this sections 20-13 (h)(l) through (h)(6) above shall be subject to the penalties set forth in sections 20-13 (k) and (m) below, provided that the first offense by any person subject to this section, including a property owner, shall be subject to a warning only, and provided further that a violation committed by a commercial operator holding a valid permit and in good standing on the public list provided for in section (7) A, shall be enforced against the commercial operator only, and not against the property owner, manager or person in control of the property upon which the violation has occurred. In addition, penalties after warning for commercial leaf blower operation in violation of the restrictions in this Section 20-13 (h)(1-3) shall be \$300 for each offense.
- (7) Commercial Leaf Blower Operators permit required.
  - A. No commercial leaf blower operator may operate a leaf blower or permit or authorize an agent or employee to operate a leaf blower in the City of Newton without an annual permit from the commissioner of inspectional

services, who shall provide application forms; who may establish rules governing the display of permits on permittee's vehicles; and who shall maintain a public list of commercial leaf blower operators who hold a valid permit under this section. The commissioner may set a reasonable fee for such permit. Such application form shall require the name and telephone number of a contact and shall require the applicant to certify under pains and penalties of perjury that they have read and understand this ordinance pertaining to leaf blower restrictions, and that they will inform all employees of the restrictions. If a violation of any leaf blower restriction under this ordinance is committed by an employee or agent of and while performing work for said commercial leaf blower operator, the commercial leaf blower operator shall be responsible for the violation and the employee or agent shall not be individually liable.

- B. A commercial leaf blower operator shall ensure that its name, address, telephone number and its commercial leaf blower permit number are clearly visible on any vehicle it uses to conduct business in Newton.
- C. In addition to the penalties set forth in sections (k) and (m) below, the permit of any commercial leaf blower operator who has received two or more notices of violation of leaf blower restrictions by it or its employees or agents in a 12-month period shall be suspended for a period of sixty days. The permit of any commercial leaf blower operator whose permit has been suspended two times shall be revoked, and the operator shall be ineligible for a permit for a period of one year. The operator's name shall be removed from the public list during any period of suspension or revocation. The penalty for operating a leaf blower without a commercial operator permit shall be \$300.00. The commissioner of inspectional services may promulgate rules and regulations to implement this section.
- (i) Permits for exemptions from this ordinance and for extensions of time to comply with this ordinance.
  - (1) The mayor or his designee may grant a permit for any activity otherwise forbidden by the provisions of this ordinance upon a determination by the mayor or his designee that compliance in the conduct of such activity would cause undue hardship on the person or persons conducting such activity or on the community, taking into account: (i) the extent of noise pollution caused by not requiring such compliance; and (ii) whether reasonable efforts have been made to abate the noise. The mayor or his designee shall establish appropriate procedures for the processing of requests for such permits, including such hearings as the mayor or his designee deems appropriate. In granting any such permit, the mayor or his designee may impose such appropriate conditions as he deems necessary pursuant to this section. Copies of all such permits shall be filed with the clerk of the city council promptly after issuance. Promptly after issuance, copies of all such permits shall be filed with the clerk of the city council and to each ward city councilor for the affected ward.
  - (2) The mayor or his designee may extend to a specified date the time for compliance with this

ordinance in the case of any particular activity with respect to which a determination is made that such extension is necessary to provide a reasonable opportunity for such activity to be brought into compliance. No such extension shall be granted which has the effect of exempting such activity from compliance with this ordinance. The mayor or his designee shall establish appropriate procedures for the processing of requests for such extensions of time, including such hearings as the mayor or his designee deems appropriate.

- (j) Judicial Review. Any person aggrieved by the grant of denial of a permit pursuant to subsection (i)(l) or an extension of time pursuant to subsection (i)(2), or a suspension or revocation of a commercial leaf blower operator permit pursuant to subsection (h)(7) may seek relief therefrom by a civil action in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.
- (k) *Penalties*. Violation of any of the provisions of this section shall constitute a misdemeanor and any person, upon conviction of such violation, shall be fined an amount not to exceed three hundred dollars (\$300.00). Each day that such violation continues shall be considered to be a separate offense.
- (l) *Enforcement*. The Newton Police Department and the Inspectional Services Department shall be responsible for enforcement of this ordinance. Each department shall document the disposition of all complaints by written report available to the public. The written report shall clearly indicate whether the complaint resulted in a warning or fine. If a warning or fine was not issued for a complaint, the responding city employee shall clearly indicate the reason.
- (m) *Non-criminal disposition*. In addition to the penalties set forth in subsection (ik), where non-criminal disposition of specified sections of this ordinance by civil fine has been provided for in sections 17-22 and 17-23 of the Revised Ordinances, as amended, pursuant to the authority granted by G.L. c. 40, sec. 21D, said violations may be enforced in the manner provided in such statute. The civil penalty for each such violation is set out in Sections 17-23(c) and 17-23(d).
- (n) In the event the person in violation of section 20-13(h) pertaining to leaf blower use is a commercial leaf blower operator, the property owner shall be notified of the violation and of any warning or other enforcement issued to the operator.

### **Chapter 17, Sec. 17-23:**

(c) DEPARTMENT OF INSPECTIONAL SERVICES: The commissioner of inspectional services, and/or his or her designee, and building inspectors of the department of inspectional services shall be authorized to issue written notice of the following violations:

Sec. 20-13. Noise Control, any section except Sec. 20-13 (h)(7)

() First offense in calendar year	Warning
() Second offense in calendar year	\$100.00
( ) Third offense in calendar year	\$200.00
( ) Fourth or subsequent offense in calendar year	\$300.00

Sec. 20-13 (h)(7) Restrictions on use of Leaf Blowers - Any violation
() First offense Warning
( ) Second and subsequent offenses
<del>\$300.00</del>
(d) POLICE DEPARTMENT: City police officers shall be authorized to issue written notice of the following violations:
Sec. 20-13. Noise Control, any section except Sec. 20-13 (h) (7)
() First offense in calendar yearWarning
() Second offense in calendar year \$100.00
() Third offense in calendar year\$200.00
( ) Fourth or subsequent offense in calendar year\$300.00
Sec. 20-13 (h)(7) Restrictions on use of Leaf Blowers - Any violation
() First offense Warning
( ) Second and subsequent offenses

## **City Council**

2022-2023 City of Newton

April 14, 2022

Jonathan Yeo, Chief Operating Officer John Carmichael Jr., Chief of Police John Lojek, Commissioner of Inspectional Services

RE: Following up discussion of #58-22, #108-22, and #198-22

Dear COO Yeo, Chief Carmichael and Commissioner Lojek:

The members of the Programs and Services Committee are grateful for your participation in our discussion of the items referenced below. I must admit we were a bit surprised to learn that six months after our last meeting, and after the committee followed up with a detailed letter outlining our concerns and next steps, it appeared that a limited amount of cross department collaboration had occurred. As everyone is aware, we are in year five of this ordinance, the challenges in the initial roll-out coupled with limited collaboration among departments has resulted in constituents being more frustrated with the ordinance today than perhaps when it was initially proposed.

What was clearly demonstrated at the meeting Wednesday night is that all parties involved want to see this ordinance work, and effectively mitigate the noise pollution and environmental damage perpetuated by gas leaf blowers.

Towards that end, and in accordance with the vote of the Committee, this letter is designed to summarize some of what we heard and some suggestions that emerged as part of our collective discussion, supplemented by some additional information which we hope will be helpful.

The letter has two appendices, one referencing the first item related to enforcement of construction noise and hours of operation, and the second regarding the two items relating to leaf blowers. Consistent with our discussion on April 6, the Committee plans to set these items down for discussion in June after the budget deliberations are concluded to see what further progress has been made in addition to the helpful actions you reported or have underway.

Thank you and please reach out to me on behalf of the Committee if you have any questions.

Sincerely,

Councilor Brenda Noel, Vice-Chair, Programs and Services Committee

CC: City Council

Mayor Ruthanne Fuller Alissa Ocasio Giuliani, City Solicitor



#### **Appendix A: Construction Noise**

### #58-22 Request for a discussion with ISD regarding noise ordinance Compliance

<u>COUNCILORS BAKER, RYAN AND WRIGHT</u> requesting discussion with Inspectional Services about possible ways of enhancing compliance with the provisions of Newton's noise ordinance which limits construction activity to certain times of day and on Sundays and legal holidays, including possible additional measures to advise contractors and subcontractors of applicable rules to minimize the need for complaint driven enforcement by city staff or police.

Members of the Committee appreciated Commissioner Lojek's candor about scofflaw behavior, which Councilor Ryan confirmed. In light of that we have the following recommendations:

- 1. Provide in the new online permitting system for building and other permit applications a place that applicants are informed about the Sunday and Holiday as well as time of day work restrictions and certify that they understand and will abide by them.
- 2. The Police and ISD work out a protocol for contemporaneous sharing of information about complaints received so that a suitable response, perhaps joint, be shaped. This might not only include individual tickets but also a record of enforcement for specific sites so that it can be accessed by both Departments.
- 3. The CEO, Police and ISD determine, in consultation with the law Department, what remedies beyond civil ticketing may be available for noise ordinance violations, e.g., stop work orders. If not available, ask the Law Department to determine if can they be added by ordinance.

Consider if additional measures should be implemented to strengthen the noise ordinance for construction activity, such as requiring registration for building contractors like commercial landscaping companies using leaf blowers.

## Appendix B: Leaf Blower Operator Compliance and Strengthening the Ordinance

## Referred to Public Safety & Transportation and Programs & Services Committees

#108-22 Requesting report as to the implementation of the leaf-blower landscaper registration and enforcement

<u>COUNCILORS BAKER, GREENBERG. HUMPHREY, NOEL, ALBRIGHT, AND WRIGHT</u> requesting a report from the Executive Department, including the Chief of Police and the Commissioner of Inspectional Services, as to the implementation of the leaf-blower landscaper registration and enforcement ordinance amendments effective Labor Day 2021.

**#198-22** Request for leaf blower ordinance discussion and amendments

<u>COUNCILORS BAKER, HUMPHREY, AND NORTON</u> recommending discussion of possible amendments to strengthen the ordinances relating to leaf blower activity.

Members of the Committee appreciated the emphasis on stepped up enforcement. In light of that we have the following recommendations:

- 1. It would be helpful if the Executive Department would respond specifically to the suggestions in the prior Committee letter, as well as the communication from Ms. Bray, both attached, including having the registration form describe the requirements as well as consequences of violation.
- 2. The new part-time enforcement officer in ISD should be asked to issue tickets for registration violations as well as for improper equipment use, after initial warnings for educational purposes, with the objective of minimizing police responses.
- 3. Homeowners using unregistered landscaping firms should be given warnings, but then tickets if an if an unregistered firm continues to be involved, as the ordinance requires.
- 4. Create a 311 portal for reporting leaf-blower violations, like Cambridge, especially for registered landscapers, where ISD has additional suspension authority.
- 5. ISD and the Police share information so that leaf-blower registration and improper use enforcement efforts are coordinated.
- 6. Learn from positive administrative and enforcement experience elsewhere, e.g., Cambridge. Consider future strengthening amendments, such as provided in the Cambridge and Lexington ordinances, attached for reference, as well as ordinance amendments to take account of other increasingly noisy equipment, such as leaf vacuums and riding leaf blowers.

2020-2021 City of Newton

October 28, 2021

Jonathan Yeo, Chief Operating Officer John Lojek, Commissioner of Inspectional Services John Carmichael, Jr., Chief of Police



RE: Following up discussion of #49-20(3) relating to leaf blower enforcement

Dear COO Yeo, Commissioner Lojek and Chief Carmichael,

Thank you for attending the discussion of the leaf blower enforcement on Wednesday, October 20, in a joint meeting of the Programs & Services and Public Safety & Transportation Committees of the Council. As you know, both Committees voted to hold the above item.

The Programs & Services Committee also agreed to send a letter through the Acting Chair, Vice-Chair Noel, to recommend some ideas for you to consider in enhancing enforcement of this important regulation for the health and welfare of both residents and landscaping personnel. The Committees may request you return after some further experience to see what progress has been made and to discuss possible next steps, if any.

Ultimately the success of the effort will require an unusual cross-cooperation among both Inspectional Services and the Police. That a part-time individual has been hired to help inform landscapers of their obligation, leaving rapid response in the hands of the police, is a welcome sign. (It was disappointing, however, to learn that the new hire is not bilingual, since language barriers are reported as a challenge to enforcement. We hope that he might be aided somehow in this regard to enhance his success in his work.). When the Committees take this item up again, we would welcome having him join us to describe his experience and offer advice after some time on the job. In the meantime, here are some of the ideas, some of which were discussed on Wednesday:

- Updating the online ordinances: Currently, the City Ordinances, which are updated in print form every five years, but updated unofficially on a regular basis, have not yet incorporated the provisions passed last May and effective Labor Day this year. President Albright mentioned at the meeting that this is something which the Clerk of the Council might help with, though she and her staff will need the assistance of the Law Department as it should review the updated noise ordinance as a whole.
- **Updating the leaf blower brochure:** The City has prepared a brochure, currently available on the Inspectional Services website, that needs updating to reflect the new rules. We note that it is bilingual, and we believe that effective communication to those using the devices is needed.
- Enhancing the registration application: Currently, the application requires leaf-blower operator certification that the operator understands the new rules. It would enhance enforcement if the application itself, as Commissioner Lojek indicated at our meeting, might be expanded to summarize the new rules. The advent of online permitting may lead to a swift click-through without fully understanding the application, so it should acknowledge that these new requirements, at a minimum, may include:
  - o Annual registration and sticker display on each vehicle.

- Identifying information (spelled out) on each vehicle, including the responsible person to call.
- o Operation of no equipment greater than 65db on the machine in any season.
- o Use of electric-only equipment from Memorial Day to Labor Day.
- Operation of leaf-blowers allowed only during certain hours, and not on Sundays or legal holidays (including Monday holidays celebrated in Newton).
- Fines for violations, and suspension of operations in Newton for multiple violations while registered.
- Making sure large users are aware of the new rules: These include municipal agencies and large users with their own staff and equipment, such as schools and colleges.

#### • Helping our enforcement personnel work together with affected citizens:

- Cross-refencing police and ISD enforcement experiences with landscapers (Several of the violators on the police logs are not yet registered).
- Ensuring tickets follow warnings (Two landscapers have received multiple warnings in the logs provided).
- A welcoming protocol for citizen complaints (Currently citizens are asked to give not only the address of the violation, but also their name and their phone number. Some citizens might be afraid to disclose their identity without some sense it would be protected).
- O Awareness that there are multiple leaf-blower related rules which might usually show up in the police logs. For example, log references to leaf blowers as being in compliance do not reference whether the landscaper, not just the leaf-blower, complied with such non-equipment related aspects such as hourly limits, registration, visible identification or other requirements of the updated ordinance.
- O Analyzing response times to see whether they impact effective enforcement, as a delay may allow reported violators to leave the premises (This response time analysis recognizes that other public safety matters may take priority).
- Warnings and tickets to property owners whose landscapers violate the rules and are unregistered at the time.
- Education that compliant models can look almost identical to non-compliant models (easy to mistake for one another). Landscapers may use a mix of compliant and non-compliant models, so each blower should still be verified by checking its noise rating on the manufacturer's sticker. This mix of equipment will require a check of each machine, not just the one which may be first offered to the inspector, or the officer involved (Please see the photo below from one manufacturer showing machines which may seem identical but are not).
- ISD adopts a dedicated phone line, webpage, and/or email for complaints and information as it will need to assess a pattern of violations to see when and if a suspension is warranted.
- o Helping our personnel use protective equipment, as may be appropriate, which may also be advisable for those operating the equipment including City personnel but

often rarely seen. See <a href="https://www.stihlusa.com/information/how-to-guides/leaf-blower-safety-tips/">https://www.stihlusa.com/information/how-to-guides/leaf-blower-safety-tips/</a>

We are sure that there are other ideas to help the enforcement effort succeed, and we look forward to continuing the conversation with you.

Sincerely,

Councilor Brenda Noel,

Brend hal

Vice Chair, Programs and Services Committee

CC: City Council

Mayor Ruthanne Fuller

Alissa Ocasio Giuliani, City Solicitor



#### **Nathan Giacalone**

From: Karen Bray

**Sent:** Tuesday, April 5, 2022 6:42 AM

**To:** Joshua Krintzman

Cc: City Council; Ruthanne Fuller; John Carmichael; John Lojek; Nathan Giacalone

**Subject:** Leaf Blowers on the agenda 4/6/22

[DO NOT OPEN links/attachments unless you are sure the content is safe. ]

Dear Councilor Krintzman,

We understand that leaf blowers will be discussed again at the Programs and Services Committee on Wednesday, April 6.

Many Newton residents feel it is time to act with urgency to assure that our leaf blower ordinance will be fully enforced and that landscapers will abide by Newton's noise ordinance.

The ordinance was passed in 2017 and enforcement has yet to be robust year 'round. Many municipalities around the country are banning gas powered leaf blowers (see attachment below) for health and environmental reasons. Many residents in Newton believe that our local landscapers have gotten more aggressive in their use of leaf blowers (using > 4-5 at a time, for example).

We would like to suggest items for consideration at your upcoming P & S meeting:

- 1. Currently, the wording of the registration form states that landscapers need only sign to say that they "understand" the ordinance. Our recommendation would be to have them sign that they will "abide" by the ordinance, (not simply understand) and, the consequences of not abiding should be spelled out clearly when they sign. How can their behavior change if they need only "understand" the ordinance?
- 2. Currently, the 311 system on <a href="mailto:newtonma.gov">newtonma.gov</a> website has no system by which residents may report leaf blower violations to Inspectional Services. Calling IS usually does not result in action toward violators. Cambridge and many municipalities around the country use a software system called "SeeClickFix". It would be worth considering for Newton; it would reduce calls to police and IS, simplify communication, and save time and money. <a href="https://www.civicplus.com/seeclickfix/request-demo?utm\_medium=email&\_hsmi=207241544&\_hsenc=p2ANqtz-9KodPxvHj\_TRm5ek4SU8LCbu30sVNfU3ctyFMV8Zv3QSD-cKG7M-cCQY6xrNCnW2ZMfA0OmHpeEGqQTWNVu7UoKEr2VQ&utm\_content=207239479&utm\_source=hs\_email3.
- 3. Also, the leaf blower brochure on <a href="mailto:newtonma.gov">newtonma.gov</a> website has not yet been updated to reflect the changes made requiring landscapers to register and has not yet been updated to say that homeowners are liable if they do not hire registered landscapers.
- 4. We would like to see a list or recommended landscapers on the <a href="newtonma.gov">newtonma.gov</a> website. Green Newton's & NewtonCALM's has compiled a list of landscapers who abide by Newton's Leaf Blower Ordinance. <a href="https://greennewton.org/gn-recommended-lawn-care-provider-info/">https://greennewton.org/gn-recommended-lawn-care-provider-info/</a>
- 5. Lexington voters approved a year-round ban of gas leaf blowers: https://www.boston.com/news/local-news/2022/03/08/lexington-leaf-blowers/

#### 6. Washington DC leaf blower ban:

Article: <a href="https://www.theguardian.com/us-news/2022/jan/05/gas-leaf-blowers-banned-washington-dc">https://www.theguardian.com/us-news/2022/jan/05/gas-leaf-blowers-banned-washington-dc</a>
DC's Leaf Blower Information page, with a complaint form for reporting violations:
<a href="https://dcra.dc.gov/leafblower">https://dcra.dc.gov/leafblower</a>

Thank you very much for your continued efforts toward making our Newton homes less polluted and less noisy.

Sincerely,

Karen Bray,

**Newton Centre** 

with contributions from members of NewtonCALM - a group of more than 200 Newton residents, fighting for regulations on leaf blowers for more than 20 years.



# CITY OF CAMBRIDGE LEAF BLOWER REGULATIONS

Notice: Pursuant to Cambridge Municipal Code 8.16.081.4, the following Regulations were adopted on 9/12/16 by Public Works Commissioner Owen O'Riordan and License Commission Chair Nicole Murati Ferrer. These are effective immediately and are subject to changes and amendments.

- (1) All provisions of Cambridge Municipal Code (the "Code"), Noise Control, Chapter 8.16 are incorporated herein and made a part hereof.
- (2) Unless explicitly exempted, all persons and municipal contractors or commercial leaf blower operators and their employees must comply with all provisions of Chapter 8.16 of the Code, including but not limited to 8.16.081 ("Ordinance"), and the Regulations (the "Regulations") herein.
- (3) Only leaf blowers that are portable, handheld or back style powered by fuel or electricity are regulated by the Ordinance.
- (4) Commercial leaf blower operators, as defined by the Ordinance, must be permitted by the License Commission prior to operating, or allowing any of its employees to operate, leaf blowers in Cambridge.
  - (a) The permit must be applied for annually.
  - (b) The permit is subject to conditions, revocation, suspension and/or fines.
- (5) Any company or person, including the property owner, who violates, or allows any other to violate, the provisions of the Code or these Regulations, may be subject to fines of \$300.00 per violation.
- (6) All leaf blowers must meet current EPA emissions standards and cannot emit noise greater than 65 decibels, as rated by the manufacturer.
- (7) The user of a leaf blower must make all reasonable efforts to use it at the speed/throttle which emits the least sound and is least disturbing but can still accomplish the work to be performed.
- (8) Only one leaf blower can be used in parcels of 10,000 square feet or smaller.
- (9) Multiple leaf blowers can be used on parcels of land larger than 10,000 square feet so long as the leaf blowers are at least 10,000 square feet apart from each other.
- (10) When employees of the same commercial leaf blower operator are servicing adjacent parcels, the employees must not operate them simultaneously unless they are at least 10,000 square feet apart from each other.
- (11) Leaf blowers can only be used March 15 June 15 and September 15 December 31. The proper hours of operation during these periods are: Mondays through Fridays, 8:00 a.m. 5:00 p.m.; Saturdays, 9:00 a.m. 5:00 p.m.; Indigenous Peoples' Day, 12:00 p.m. 5:00 p.m.; and Veterans' Day, 1:00 p.m. 5:00 p.m. They cannot be operated on Sundays or any other legal holiday. This Regulation does not apply to municipal employees or municipal contractors working at Danehy Park, Fresh Pond Reservation, Fresh Pond Golf Course, Municipal Cemetery, Old Burial Ground, or after an emergency after a storm.
- (12) Commercial leaf blower operators must submit their employees to any training offered by the License Commission or submit an affidavit attesting they have trained all employees on the provisions of the Code and the Regulations.

- (13) Leaf blowers cannot be pointed at persons or animals. There must be a distance of at least fifty (50) feet between the user and any person or animal.
- (14) It is prohibited to blow towards open windows or doors. When possible, leaf blowers are not to be used within 10 feet of windows or doors.
- (15) Private citizens/individuals and commercial leaf blower operators are prohibited from blowing debris onto adjacent property, the street, catch basins, gutters, vehicles, people or animals.
- (16) Municipal employees or Municipal contractors may blow leaves, dust, dirt, grass clippings, cuttings and trimming from trees and shrubs on a municipal street or sidewalk for collection and pick-up, during municipal street and sidewalk sweeping and cleaning operations.
- (17) The leaf blower operator should use the longest possible nozzle for the equipment at maximum extension and orient the nozzle to reduce the sound.
- (18) The leaf blower equipment must be checked regularly to ensure proper operation and compliant sound emissions.
- (19) When feasible, prior to using a leaf blower, the operator must spray dusty areas with water.
- (20) Leaf blowers may never be used for construction dust, plaster dust or dry garden topsoil.
- (21) Leaf blowers may never be used to move large mounds of debris. Rakes and brooms should be used whenever possible and always when loosening heavier debris.
- (22) Employees must use ear protection while operating a leaf blower. The ear protection must be provided by the employer at no cost to the employee.
- (23) Leaf blower operators should use respiratory protection while operating the leaf blower. Any employee who requests respiratory protection from their employer, must be provided one at no cost to the employee.
- (24) Leaf blower operators should use eye protection gear while operating the blower. Any employee who requests such gear from their employer, must be provided one at no cost to the employee.
- (25) Commercial leaf blower operators and municipal contractors must provide each employee with a copy of the Regulations.

The Commissioners for the Public Works Department and License Commission thank you for your compliance with the Code and these Regulations. We trust that you will ensure all employees are properly trained, provided protection gear and informed that that responsible use of a leaf blower includes using common sense. If there are any complaints or violations, please report them immediately to the City of Cambridge through Commonwealth Connect, via email at License@cambridgema.gov or by phone at (617) 349-6149.

#### **ARTICLE 10**

## REDUCING NOISE FROM LANDSCAPE MAINTENANCE EQUIPMENT

#### **MOTION:**

That Chapter 80 of the Code of the Town of Lexington, Noise Control, be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington:

1. Add the following definitions to § 80-3:

#### COMMERCIAL LANDSCAPER

A person or entity that receives compensation to utilize landscape maintenance equipment on another's property.

#### LANDSCAPE MAINTENANCE EQUIPMENT

Gas- or electric-powered lawn mowers, hedge trimmers, weed whackers, leaf blowers, and other equipment used in landscaping or lawn care.

- 2. Replace § 80-4.H with the following:
  - 1. The outdoor use of Landscape Maintenance Equipment by commercial landscapers shall be limited to the following days and hours:
    - i. Monday Friday: 7:00 AM to 6:00 PM
    - ii. Saturdays: 9:00 AM to 5:00 PM
  - 2. The outdoor use of Landscape Maintenance Equipment by persons other than commercial landscapers shall be limited to the following days and hours:
    - i. Monday Friday: 7:00 AM to 8:00 PM
    - ii. Saturdays, Sundays, and Legal Holidays: 9:00 AM to 5:00 PM
  - 3. The outdoor use of Landscape Maintenance Equipment by the Town or Town contractors on Town property shall be limited to the following hours:
    - i. Monday Friday: 7:00 AM to 8:00 PM
    - ii. Saturdays: 9:00 AM to 5:00 PM

4. Landscape construction work shall be governed by §80-4.A, rather than this § 80-4.H.

Effective May 31, 2022,:the use of gas-powered leaf blowers is restricted to the periods of March 15 to May 31 and September 15 to December 30.

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- 5. Effective March 15, 2025, the use of all gas-powered leaf blowers by commercial landscapers in the Town of Lexington shall be prohibited.
- 6. Effective March 15, 2026, the use of all gas-powered leaf blowers by residents on their own property in the Town of Lexington shall be prohibited.
- 7. The use of wheeled leaf blowers powered by four-stroke engines on properties larger than one acre is not subject to the prohibitions in paragraphs 6 and 7.
- 3. Amend § 80-7.B to read as follows where struck through text is to be removed and underlined text is to be added:

Any person who violates any provision of this by-law, or who is the owner of property on which such violation occurs, shall be fined an amount not to exceed \$50 per first violation, \$100 for the second violation, and \$200 for the third and each subsequent violation. Additionally, any person violating this by-law is also subject to the penalties under Fines issued hereunder shall be issued in accordance with Chapter 1, \$ 1-6 of the General By-Laws. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue. Each day that such violation continues shall be considered a separate offense.

(Revised 11/17/2021)



## City of Newton, Massachusetts Office of the Mayor

617) 796-1100 Telefax (617) 796-1113 TDD (617) 796-1089 E-mail rfuller@newtonma.gov

May 31, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

#### Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$125,000 from Acct # 0110498-579000 Current Year Budget Reserve to fund engineering consultants required for the design of the turf fields at the high schools.

Please see the request from Nicole Banks, Commissioner of Parks, Recreation and Culture.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller

Mayor

Newton Parks, Recreation & Culture Department 246 Dudley Road, Newton, MA 02459

Office: (617) 796-1500 parks@newtonma.gov Nicole Banks, Commissioner



May 31, 2022

Re: Request for Engineering Services Funding for Synthetic Track and Field Replacements at Newton North and Newton South High Schools

Dear Mayor Fuller,

I write to respectfully request that you submit a docket item to our Honorable City Council, this funding request for the sum of \$125,000.00 for engineering services contract work required to assess and oversee the replacement of three synthetic turf carpets at the high schools (Winkler Stadium, Brandeis Field, and Tiger Stadium). Contracted services will include evaluating synthetic turf replacement options for all three fields and two tracks including assessment of conditions, community engagement, product selections, permitting, site evaluation, bid documentation preparation, and construction administration.

Respectfully,

Nicole Banks, Commissioner of Parks, Recreation & Culture



# City of Newton, Massachusetts Office of the Mayor

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(617) 796-1089
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rfuller@newtonma.gov

May 31, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

#### Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to appropriate and expend the sum of \$184,244 from June 30, 2021 Certified Free Cash to resurface the tennis court complex at Newton North High School comprising of 10 courts.

Please see the request from Nicole Banks, Commissioner of Parks, Recreation and Culture.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller Mayor

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№ewton Parks, Recreation & Culture Department 246 Dudley Road, Newton, MA 02459

Office: (617) 796-1500 <u>parks@newtonma.gov</u> Nicole Banks, Commissioner



May 31, 2022

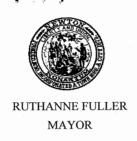
Re: Request for Funding for Newton North HS Tennis Court Repairs

Dear Mayor Fuller,

I write to respectfully request that you submit a docket item to our Honorable City Council, for the sum of \$184,243.40 to fund the resurfacing of the tennis court complex at Newton North High School comprising 10 courts. The resurfacing work includes sealing cracks with fill and patching, sanding and painting net posts, multiple layers of sealcoat and topcoats, and relining the 10 courts in conformance with USTA high school tennis court standards. The current surface has exceeded its recommended serviceable life as is evidenced by the lack of traction on the playing surface.

Respectfully,

Nicole Banks, Commissioner of Parks, Recreation & Culture



# City of Newton, Massachusetts Office of the Mayor

Telephone
(617) 796-1100

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(617) 796-1089

E-mail
rfuller@newtonma.gov

May 31, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

#### Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the sum of \$80,000 from Acct # 0160252-513002, PRC Public Grounds Maintenance Full Time Wages the following accounts:

<b>Account Description</b>	Purpose	Account #	<b>Amount</b>
Beaut-Grounds Maint	Pet Waste Collection	0160238-546000	\$12,000
Public Grounds Maint	Levingston Cove	0160252-546000	\$13,000
Public Grounds Maint	Repair Wall-Jackson Homestead	0160252-546000	\$30,000
Rec Bldg's-Electricity	Electricity Costs	0160237-521000	\$15,000
Rec Vehicles-Gas/Diesel	Gas/Diesel Costs	0160236-548000	\$10,000

Please see the attached request from Nicole Banks, Commissioner of Parks, Recreation and Culture.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller Mayor OITY OLERK

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## Newton Parks, Recreation & Culture Department 246 Dudley Road, Newton, MA 02459

Office: (617) 796-1500 parks@newtonma.gov Nicole Banks, Commissioner



May 31, 2022

To:

Mayor Ruthanne Fuller, CFO Maureen Lemieux, COO Jonathan Yeo

From:

Nicole Banks, Commissioner of Parks, Recreation & Culture

Subject:

Docket Request for FY22 Funds Transfers

In support of the May 31, 2022 docket request letter for a \$80,000 transfer from the Public Grounds Maintenance wage account to cover a number of other PRC accounts I provide the following information.

Pet Waste Collection: The department now maintains 62 pet waste stations across the City, some at official Off-Lease Dog areas as well as other locations. The department uses a contractor to collect the waste on a set schedule. Historically the stations were focused at the Off-Lease Dog areas and the separate revolving account set up for that program funded the waste collection. That practice was terminated last year, creating a challenge for the department to keep up with the increasing station costs city-wide. This transfer of \$12,000 will cover FY2022 costs.

<u>Levingston Cove</u>: The department is managing this critical project to repair erosion damage in this Crystal Lake cove area, install new features to better deal with runoff, and construct new accessible walkways. The project funding has largely been through CPA funding with some state earmark funds. Due to project revisions from late community input and the need to have the consultants defend the project before DEP (successfully), there have been \$13,000 in additional project costs.

<u>Wall Repair at Jackson Homestead:</u> In 2021 a very large historic tree on the front grounds of the Jackson Homestead fell during a storm leaving behind a damaged stone wall along Washington Street. The wall needs to be repaired, with stones re-set to match and the damaged corner fixed. The estimated cost is \$30,000.

<u>Electricity and Rec Vehicles Gas/Electric Accounts</u>: These accounts need additional funding to meet expected FY2022 costs.



## City of Newton, Massachusetts Office of the Mayor

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rfuller@newtonma.gov

May 31, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton Centre, MA 02459

#### Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer and expend a total of \$360,000 from the accounts listed below to a Parks, Recreation and Culture Project account to fund the resurfacing of the Newton Centre Playground.

From_	Account	<u>Amount</u>
Financial Services – Savings from Attrition	0111049-511001	\$280,000
I.T. – Savings from Attrition	0111154-511001	\$ 80,000

Please see the attached memo from Nicole Banks, Commissioner of Parks, Recreation and Culture for more information.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller Mayor

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Newton Parks, Recreation & Culture Department 246 Dudley Road, Newton, MA 02459

Office: (617) 796-1500 parks@newtonma.gov Nicole Banks, Commissioner



May 31, 2022

Re: Request for Funding for Newton Centre Playground Poured-in-Place Resurfacing

Dear Mayor Fuller,

I write to respectfully request that you submit a docket item to our Honorable City Council, for funding in the sum of \$360,000 to replace the existing poured in place (PIP) rubber surfacing system at the Newton Centre Playground play area. The resurfacing is required to address issues that currently exist due to the product having reached its end of life. PRC has worked with the Conservation Department to assess and implement environmental protection measures for the work given its adjacency to Hammond Brook. The scope of work will include removing and disposing of existing safety surfacing material, replenishing any subgrade required, and pouring new rubberized safety surfacing.

Respectfully,

Nicole Banks, Commissioner of Parks, Recreation & Culture



## City of Newton, Massachusetts

Office of the Mayor

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May 9, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Eileen Sandberg of 260 Franklin Street, Newton as a member of the Commission on Disability. Her term of office shall expire on May 31, 2025 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller

Mayor

CITY CLERK

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#### **Application Form**

Profile					
Eileen		Sandberg			
First Name	Middle Initial	Last Name			
Email Address			 260 Franklir	260 Franklin St Newton, MA	
260 Franklin St.			02458		
Home Address			Suite or Apt		
NEWTON			MA	02458	
City			State	Postal Code	
What Ward do you live in?  ✓ Ward 7					
Primary Phone	Alternate Phone		-		
Federation for Children with Special Needs Employer	Program N Job Title	Manager			
Which Boards would you like	e to apply for	?			
Commission on Disability: Submi	tted				
Interests & Experiences					
Diago tell us about vourself or					

Please tell us about yourself and why you want to serve.

#### Why are you interested in serving on a board or commission?

I am the parent of three sons with disabilities including autism, intellectual disabilities, ADHD, major mental illness and learning disabilities. I have worked for many years with the Newton Special Education Parent Advisory Council (SEPAC) with 9 years on the board, including four years as chair (I am currently the treasurer). I've worked closely with the Newton Public Schools to improve services for students with disabilities. I am now employed by the Federation for Children with Disabilities in Boston.

#### Eileen s Academic CV 10 2018.doc

Upload a Resume

#### EILEEN A. SANDBERG

414 Waltham Street Newton, MA 02465

#### **EDUCATION**

#### Harvard University, Cambridge, MA

Ph.D. in Health Policy, June 2009

#### Harvard School of Public Health, Boston, MA

Master of Science, June 1997

#### **Boston University, Boston, MA**

Master of Business Administration, June 1991

#### University of Chicago, Chicago, IL

Bachelor of Arts, Biological Sciences, June 1982

#### DISSERTATION

The Cost-Effectiveness of Treatments for Attention-Deficit Hyperactivity Disorder (ADHD) in Children Ages 7-9

Thesis Advisor: Milton C. Weinstein, Ph.D.

#### ACADEMIC AWARDS

Dissertation Completion Fellowship, Harvard University 2007

Dissertation Research Fellowship, National Institute of Mental Health (NIMH) 2002-2003

Dissertation Research Fellowship, Agency for HealthCare Research and Quality (AHRQ) 2000-2002

#### **PRESENTATIONS**

Sandberg EA, Thorat T, Neumann PJ, Chambers J<sup>-</sup> *Qaly Gains in Cancer Compared with Chronic Diseases.* Presentation at the International Society for Pharmacoeconomics and Outcomes Research (ISPOR) 21st Annual International Meeting May, 2016

Sandberg EA, Thompson KM, Prosser LA, Neumann PJ, Weinstein MC. *The Cost-Effectiveness of Treatments for Attention Deficit Hyperactivity Disorder(ADHD) in Children Ages 7-10.* Poster presented at the Society for Medical Decision Making (SMDM) Annual Meeting, October 19, 2008.

Sandberg EA, Prosser LA, Neumann PJ, Weinstein MC. *Health State Utilities in Children Ages 7-10 with Attention Deficit Hyperactivity Disorder (ADHD)*. Poster presented at the Society for Medical Decision Making (SMDM) Annual Meeting, October 23, 2007.

Sandberg EA, Neumann PJ. A Threshold Analysis: What QALY Gains Are Needed For Treatments For Attention Deficit Hyperactivity Disorder (ADHD) To Be Considered Cost-Effective? Poster presented at the Society for Medical Decision Making (SMDM) Annual Meeting, October 22, 2005.

#### **PUBLICATIONS**

- 1.McMahon PM, Araki SS, Sandberg EA, Neumann PJ, Gazelle GS. *Cost-effectiveness of PET in the diagnosis of Alzheimer disease*. Radiology. 2003 Aug;228(2):515-22.
- 2: Weinstein MC, Toy EL, Sandberg EA, Neumann PJ, Evans JS, Kuntz KM, Graham JD, Hammitt JK. *Modeling for health care and other policy decisions: uses, roles, and validity.* Value Health. 2001 Sep-Oct;4(5):348-61.
- 3: Bell CM, Chapman RH, Stone PW, Sandberg EA, Neumann PJ. *An off-the-shelf help list: a comprehensive catalog of preference scores from published cost-utility analyses*. Med Decis Making. 2001 Jul-Aug;21(4):288-94.
- 4: Chapman RH, Stone PW, Sandberg EA, Bell C, Neumann PJ. A *comprehensive league table of cost-utility ratios and a sub-table of "panel-worthy" studies.* Med Decis Making. 2000 Oct-Dec;20(4):451-67.
- 5: Neumann PJ, Sandberg EA, Araki SS, Kuntz KM, Feeny D, Weinstein MC. *A comparison of HUI2 and HUI3 utility scores in Alzheimer's disease*. Med Decis Making. 2000 Oct-Dec;20(4):413-22.
- 6: Earle CC, Chapman RH, Baker CS, Bell CM, Stone PW, Sandberg EA, Neumann PJ. *Systematic overview of cost-utility assessments in oncology*. J Clin Oncol. 2000 Sep 15;18(18):3302-17.
- 7: Neumann PJ, Stone PW, Chapman RH, Sandberg EA, Bell CM. *The quality of reporting in published cost-utility analyses*, *1976-1997*. Ann Intern Med. 2000 Jun 20;132(12):964-72.
- 8: Stone PW, Chapman RH, Sandberg EA, Liljas B, Neumann PJ. *Measuring costs in cost-utility analyses. Variations in the literature. Int J Technol Assess Health Care.* 2000 Winter;16(1):111-24.
- 9: Neumann PJ, Sandberg EA, Bell CM, Stone PW, Chapman RH. *Are pharmaceuticals cost-effective? A review of the evidence*. Health Aff. 2000 Mar-Apr;19(2):92-109.

- 10: Neumann PJ, Sandberg EA. *Trends in health care R&D and technology innovation*. Health Aff. 1998 Nov-Dec;17(6):111-9.
- 11. Lin P-J, Saret CJ, Neumann PJ, Sandberg EA, Cohen JT. Assessing the value of treatment to address various symptoms associated with multiple sclerosis: Results from a contingent valuation study. PharmacoEconomics 2016;34(12):1255–65.
- 12.Neumann PJ, Thorat T, Zhong Y, Anderson J, Farquhar M, Salem M, Sandberg E, Saret CJ, Wilkinson C, Cohen JT. A systematic review of cost-Effectiveness studies reporting cost-per-DALY averted. Plos One 2016;11(12).

#### PROFESSIONAL EXPERIENCE

## **Tufts University Medical Center**

Post-doctoral Researcher 2013-2017

## Harvard School of Public Health, Boston, MA

Research Assistant, 1998-1999.

#### Amgen, Thousand Oaks, CA

Product Manager, Phase IV Economic Trials 1994-1996 Product Manager, Economic Studies, 1992-1994 Assistant Product Manager, New Product Development 1991-1992

#### Genetics Institute, Cambridge, MA

Research Scientist 1989-1991 Associate Scientist 1986-1989

#### Massachusetts General Hospital, Boston, MA

Research Assistant 1982-1986

#### **Volunteer Experience:**

Newton Special Education Parent Advisory Council Chairperson, 2013-2017 Newton Special Education Parent Advisory Council Board Member, 2010-present John M. Barry Boys and Girls Club Volunteer Teacher, 2010-2013 Elizabeth Evarts DeRham House Hospice Volunteer, 2012-present

## **Excellent professional references available upon request.**



## City of Newton, Massachusetts

Office of the Mayor

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TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

May 6, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Sharon Stout of 227 Washington Street, Apt. 2, Newton 02458 as a Newton Library Trustee. Her term of office shall expire on June 30, 2027 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller

Mayor

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CITY CLERK

Newton, MA Boards & Commissions

Submit Date: Apr 17, 2022

# **Application Form**

Profile				
sharon	0	stout		
First Name	Middle Initial	Last Name		
· \				
mail Address				
227 washington st			apt 2	
Home Address			Suite or Apt	
NEWTON			MA	02458
City			State	Postal Code
What Ward do you live in	?			
☑ Ward 1		***************************************		
	•			
Primary Phone	Alternate Phone			
Stout Enterprises	business o	owner		
mployer	Job Title			
Which Boards would you	ı like to apply for?	?		
_ibrary Trustee: Submitted				

Please tell us about yourself and why you want to serve.

# Why are you interested in serving on a board or commission?

I have worked with the library trustee for almost the past 20 years. I am currently serving as trustee within my first term, I would love the continue with a second term. I am and have been the Chair of our SpringFling since 2020. I am also serving on development committee and have served on most ad-hoc hiring committee, including the search for our Library Director & 2 development directors for the trustees. I would love to be consider for a spot on the trustees board again. I have attached 4 page resume. Thank you Thank you

sharon stout resume 2022.pdf

Upload a Resume

# PO BOX 264, Newton, MA 02460 \*

EVENT EXPE	RIENCE	
2002 – Current	MAHOGANY ENTERPRISES, INC. Fundraising & Event Planning Company	Newton, MA
6/2013-paused	TRANQUILITY DAYSPA, INC Full-service day spa employing 13 people, \$220,000 annual sales	Watertown, MA
6/2018-paused	TRANQUIL ESCAPE DAYSPA, INC Full-service day spa employing 27 people, \$550,000 annual sales	Brockton, MA
2015- Current	MASSACHUSETTS DEMOCRATIC PARTY convention Sargent at arms, Head teller, AA Host Party coordinator	Worcester, MA
2006-Current	NEWTON DEMOCRATIC CITY COMMITTEE Annual Brunch, Chair, Co-Chair, logistics	Newton, MA
2007-Current	NEWTON FREE LIBRARY Chair, Co-Chair Annual Spring Fling planning committee, & Auction committee	Newton, MA
3/2022	BOSTON FARMS Speaker at Annual Board Conference - Fundraising	VIRTUALLY
3/2022	DIMOCK HEALTH CENTER Virtual tech consultant – TOWN HALL	VIRTUALLY
12/2021	MIDDLESEX LINKS Virtual tech consultant, Annual Gala Tea	VIRTUALLY
11/2021	BBC FINANCING FORUM Virtual Conference tech consultant	VIRTUALLY
2021	URBAN FARMING INSTITUTE Virtual Conference tech consultant, fundraising consultant	VIRTUALLY
2009-2020	MASSACHUSETTS CONFERENCE FOR WOMEN 12,000 women attendee conference – speaker's aide for the day	Boston, MA
2006-2020	NEWTONSERVES Annual City Event- Chair, Co-Chair Fundraising, Event Logistics committee	Newton, MA
2018-2019	MASSACHUSETTS WOMEN POLICIAL CAUCUS 31st Annual MWPC Gala AWARDS 17th Annual "GOOD GUY AWARDS — fundraising consultant	Boston, MA
2/2015-2018	NEWTONVILLE VILLAGE DAY Event lead, annual community celebration	Newton, Ma
2010-2017	AMERCIAN CANCER SOCIETY  Annual Relay for life, Event Lead Chair- Watertown, Newton, Waltham  Relay for Life, Co-Chair of Event- Newton, Brookline	Watertown, MA
2017	MASSACHUSETTS WOMEN POLICIAL CAUCUS- National convention  Event lead – Reception - Welcoming incoming President Gail Jackson	Boston, MA
2/2010-9/2012	SUSAN G. KOMEN 5k Walk for a Cure, & Taste for a Cure, Event staff	Boston, Ma

6/2008-9/2008	DEMOCRATIC NATIONAL CONVENTION - Denver 2008  Denver Host Committee Team Captain/Manager  Managed all events & logistics for the Massachusetts & Maryland delegations during conve	Denver, CO
2/2008-4/2008	NEWTON LEAGUE OF WOMEN VOTERS  Event Coordinator/Manager 6 <sup>th</sup> bi-annual Champagne & Chocolate fundraiser	Newton, MA
9/2007-2/2008	BIRTHDAY WISHES  Committee Chair 1st Annual Auction, 5th Anniversary	Newton, MA
8/2007-2/2008	NEWTON COMMUNITY SERVICE CENTER Fundraising Consultant, 100th Anniversary	Newton, MA
9/2006-11/2008	JOHN M. BARRY BOYS AND GIRLS CLUB  Member of Committee, 11th Annual Auction- 100th Anniversary  Committee Member, 12th Annual Auction	Newton, MA
9/2007-11/2007	MASS ADOPTION RESOURCE EXCHANGE Committee Member, 50th Anniversary Gala	Boston, MA
9/2007-11/2007	NEWTON SENIOR CENTER Committee Member, Capital Campaign	Newton, MA
6/2007-6/2007	NEWTON NORTH HIGH Fundraising Consultant	Newton, MA
1/2007-4/2007	NEWTON LEAGUE OF WOMEN VOTERS  Event Chair Inaugural Wine and Cheese fundraiser	Newton, MA
12/2006-2/2007	CAN-DO 4th ANNUAL CELEBRATION Event Coordinator/ Manager	Newton, MA
9/2006-10/2006	INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE OFFICERS SALUTE TO CHIEF JOE CARTER, Event Staff	Boston, MA
6/2006- 10/06	COMMUNITY CHANGE - DRYLONGSO AWARDS  Event Coordinator/Manager, 13th Annual Award for the community leader	Boston, MA
12/2005- 03/06	BOSTON MOBILIZATION-COMMUNITY CHANGE INC. TRIBUTE TO FREDA REBELSKY Event Director	Newton, MA
1/2005- 2/2007	WEISBUCH FOR ALDERMAN AT-LARGE Campaign Manager, Scheduler, Fundraiser director, City-wide Campaign	Newton, MA
3/2004- 9/2004	DEMOCRATIC NATIONAL CONVENTION- Boston 2004  Event Manager - "Welcoming Party" for the Arkansas, Kentucky and Mississippi Delegation Assistant Event Manager - "A Salute to Veterans" with James Carville Assistant Manager - Black Caucus Event.	Boston, MA
2/2004-3/2004	TROOPER GEORGE HANNA MEMORIAL AWARD Event Staff, STATE HOUSE	Boston, MA
1994 – 1998	CONGRESSMAN JOSEPH P. KENNEDY Assistant to Political Director Office Manager, Assistant Event Manager & Fundraiser.	Boston, MA
1992-1994	SUFFOLK COUNTY DISTRICT ATTORNEY RALPH MARTIN'S OFFICE ROXBURY DISTRICT COURT  Domestic Violence Assistant, Assistant to Assistant District Attorney's (paralegal)	Roxbury, MA

#300-22

6/2009-12/2010 SEARS, INC

Operations manager of Soft lines, 60 million sales, 115 employees

Dedham, MA

2001-2004

GAP INC.

Watertown, MA

Operations Manager, 10-million sales, 125 employees. Regional operations assistant, stores in MA, CT, NH

1999 - 2001

VICTORIA'S SECRET

Cambridge, MA

Bra Store Director, 9 million sales, 30 employees.

Regional operations, 13 stores within MA

1996

HALE & DORR

Litigation assistant - John Hancock case

Boston, MA

#### BOARD OF DIRECTORS EXPERIENCE

**Emerge MA** Co-Chair Board 2021- current

Board member 2018 -current, Fundraising committee 2015-current ED Search committee 2018, Class selection committee 2018-current

Chair 2019-2022 WOTY Gala

**JALSA** Advisory board 2016-current, Leadership committee 2019-current

Massachusetts State Party Executive Board Deputy Treasurer- 2016- current

> Field Services committee 2012-current, Co-Chair 2015-2016 Co-Chair Resource Development, AAOC fundraising chair DNC Convention training sessions - trainer -2012-2016-2020

**Newton Democratic City Committee Executive** Chair (of the city) 2020-2022

Co-Chair (of the city) - 2014 - 2020 Vice-Chair (of the city) - 2009, 2012-2014

Special Events Chair 2006- 2007

"Friends of Library" - 2014-current **Newton Free Library Board Newton Free Library Trustees** 

Chair, Building committee & Spring Fling Gala 2020-current

Member: Development, New Library Director, Development Director

search committees 2017-2022

Birthday Wishes Inc.

John N. Barry Boys & Girls Club League of Women Voters of Newton-

Newton Democratic City Committee Ward 1

Newton Kiwanis Club The Senior Trust Fund

Board member 2007 -2009 Board member 2006 - 2009

Board member, Fundraising chair 2006-2009 Chair 2008, Secretary 2007, 2010-2012

President 2008-09, Secretary 2006-2008

2007-2009

#### COMMUNITY ORGANIZATION MEMBERSHIP

Co-Chair Fundraising 2008-2020 Co-Chair Event 2011 **Newton Serves** 

Logistics Committee 2005-2007, 2010

Move Newton Forward-

**Newton Human Rights Commission** 

Newton North Now - Citizen

Newton Youth Commission

**Fundraising Committee 2008** 

2005-2008

Fundraising Chair 2007

2005-2008

# STATEWIDE ORGANIZATION MEMBERSHIP

Massachusetts State Party- Caucus seat - representing Newton, Brookline & Wellesley- elected 2010-current **BECMA** 

#### NATIONAL ORGANIZATION MEMBERSHIP

**Emily's List EMERGE Higher Heights** NAACP

National Democratic Party:

Host Committee Boston 2004 National Democratic Convention Host Committee Denver 2008 National Democratic Convention Voting Delegate Charlotte 2012 National Democratic Convention

New England Steering Committee for Barack Obama (fundraising), New England Biden fundraising committee 2018-2020



# City of Newton, Massachusetts Office of the Mayor

#301-22
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(617) 796-1089
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rfuller@newtonma.gov

May 6, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Jean Notis-McConarty of 122 Temple Street, West Newton 02465 as a Newton Library Trustee. Her term of office shall expire on June 30, 2027 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

**Ruthanne Fuller** 

Mayor

CITY CLERK

Newton, MA Boards & Commissions

Submit Date: Apr 05, 2022

# **Application Form**

Profile				
Jean		Notis-McConarty		
First Name	Middle Initial	Last Name		
Email Address				
122 Temple Street				
Home Address			Suite or Apt	
West Newton			MA	02465
City			State	Postal Code
What Ward do you live	in?			
<b>☑</b> Ward 3				
Primary Phone	Alternate Phone			
Retired	Accountan	nt		
Employer	Job Title			
Which Boards would yo	ou like to apply for	?		
Library Trustee: Submitted				
Interests & Experience	98			

Please tell us about yourself and why you want to serve.

# Why are you interested in serving on a board or commission?

I am a Newton resident of over 40 years and a Library Trustee with a term ending June 30, 2022. I was involved in the campaign to build the library 30 years ago, have contributed generously to the library for many years, and was a library volunteer with Audrey Cooper. Professionally, I am a retired partner from the multinational accounting firm, PwC. I have the time and experience to devote myself to Newton and the Library. My experience has proven to be a valuable resource to other nonprofits, including Historic Newton. I would love to continue as Library Trustee and can be helpful on the Library Board.

# J NotisMcConarty Resume 2022.doc

Upload a Resume

### Jean Notis-McConarty

122 Temple Street Newton, MA 02465



#### STATEMENT of EXPERTISE

Over 35 years of experience servicing the not-for-profit industry in accounting, auditing, and improving governance and operations. As a retired PricewaterhouseCoopers partner, I am technically qualified to be a financial expert as well as being financially literate. I have served on nonprofit boards, served as board treasurer and chaired several audit committees.

#### PROFESSIONAL EXPERIENCE

#### PricewaterhouseCoopers LLC, Partner

1984 to 2007

Specialized in providing audit services to higher education and not-for-profit clients, including coordinating tax and advisory services. Clients included Bates College, Brown University, Colby College, Harvard University, Massachusetts Institute of Technology, Mount Holyoke College, Rhode Island School of Design, and Smith College, as well as other nonprofits such as the Museum of Science and Isabella Stewart Gardner Museum. Retired in 2007.

Consulted with clients and their boards regarding best practices in governance and responsibilities for financial oversight. Other responsibilities for PwC included leading the firm's annual Northeast Higher Education Seminar and the Liberal Arts Colleges Roundtable.

#### **BOARD POSITIONS**

#### City of Newton, Trustee of the Newton Free Library

2017 to current

Chair of Nominating Committee and member of the Finance Committee

#### Make-A-Wish of Massachusetts and Rhode Island, Treasurer

2004-2010, 2011 to 2017

Member of the Board of Directors

Member of Executive Committee, Audit Committee and Outreach Committee

#### Make-A-Wish of America

2013 to 2020

Member of the Audit Committee

# **Historic Newton**

2010 to current

Member of the Board of Directors

Chair of the Audit Committee and member of the Finance Committee

#### **Indian Hill Music Inc.**

2009 to 2015

Member of the Board of Directors

Chair of the Audit Committee and member of the Finance Committee and Governance Committee

#### **EDUCATION**

Graduate School: M.B.A., Babson College, Wellesley, MA College: B.A., Mount Holyoke College, South Hadley, MA

# PROFESSIONAL QUALIFICATIONS

**Former Certified Public Accountant** 

#### **PERSONAL**

Married, 3 Children

#### REFERENCES

Barbara Meltz, Chair of the Board of Trustees, Newton Free Library: Jill Mercurio, Library Director, Newton Free Library: Lisa Dady, Executive Director, Historic Newton:



# City of Newton, Massachusetts

Office of the Mayor

#302-22
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(617) 796-1089
Email
rfuller@newtonma.gov

May 6, 2022

Honorable City Council Newton City Hall 1000 Commonwealth Avenue Newton, MA 02459

To the Honorable City Councilors:

I am pleased to reappoint Geline Williams of 12 Hereford Road, Waban 02468 as a Newton Library Trustee. Her term of office shall expire on June 30, 2027 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

**Ruthanne Fuller** 

Mayor

2022 MAY -9 PM 1: 4

Newton, MA Boards & Commissions

Submit Date: Apr 26, 2022

# **Application Form**

Profile				
Geline	W.	Williams		
First Name	Middle Initial	Last Name		
Email Address				
12 Hereford Road				
Home Address			Suite or Apt	•
Waban			MA	02468
Dity			State	Postal Code
What Ward do you live	in?			
Ward 5				
Primary Phone	Alternate Phone			
retired	Attorney		<u>-                                      </u>	
Employer	Job Title			
Which Boards would y	ou like to apply for?			
Library Trustee: Submitted				
nterests & Experienc	es		· · · · · ·	
Please tell us about your	self and why you wa	nt to serve.		
,	, , = = = = =			

strategic development activities and would like the opportunity to completely fulfill that mission. Please see the attached professional profile.

I am seeking re-appointment as a Newton Free Library trustee. I have been heavily involved in ongoing

220424 Geline W. Williams 2022 Professional Profile.docx

Upload a Resume

# **GELINE W. WILLIAMS**

# Professional Profile 2022

Geline W. Williams and her husband, Bruce W. Edmands, have resided in the Village of Waban since 1984.

A native of Richmond, Virginia and a graduate of Manhattanville College in New York, Ms. Williams earned her M.L.S. from the Simmons School of Library Science in 1974. Immediately upon graduation, she assumed the newly-created position of Adult Services Librarian for the Framingham Public Library, where she helped initiate a host of programs and services, including a specialized branch library to serve the town's growing Hispanic population, and on-site Bookmobile services to the women at M.C.I. Framingham.

Turning to the law, Ms. Williams graduated from Suffolk Law School, *cum laude*, in 1977. She spent her career as a trial attorney on both the civil and criminal sides. She joined the Plymouth County District Attorney's office where, over the course of 15 years, she served as Chief of the Child Abuse Unit, Chief of the Family Protection Unit and as Deputy First Assistant District Attorney. She became a seasoned trial attorney with extensive experience in homicide, sexual assault, domestic violence and child abuse investigations and prosecutions, and tried the first Massachusetts priest to be convicted by a jury of child rape.

Evolving from trial work to policy and training matters, from 2000 to 2013, Ms. Williams served as Executive Director of the Massachusetts District Attorneys Association (MDAA), an independent state agency that coordinates information technology, training, and policy initiatives for the eleven elected Massachusetts District Attorneys and their fifteen hundred employees. During the Boston Archdiocese child abuse scandal, Ms. Williams was appointed a Special Assistant Attorney General to facilitate the flow of case information between the district attorneys' offices and Attorney General Tom Reilly's office.

Now a retired attorney, Ms. Williams, for the past twenty years, has served as a board member (including as president) of the Gifford School, a private non-profit school for children with learning, behavioral and emotional challenges in Weston, MA.

Since her appointment in 2017 by then-Mayor Warren, Ms. Williams has served on the Board of Trustees of the Newton Free Library where she chairs the Development Committee.