



Public Safety & Transportation Committee Report

Part 1

City of Newton In City Council

Wednesday, June 8, 2022

Present: Public Safety & Transportation Committee: Councilors Downs (Chair), Lipof, Grossman, Malakie, Bowman, Oliver and Lucas

Absent: Councilor Markiewicz

Also Present: Public Facilities Committee: Councilors Kalis (Vice-Chair), Norton, Kelley, Crossley, Gentile, Laredo and Danberg

Absent: Councilor Leary

City Staff: Captain Jeffrey Boudreau, Chief John Carmichael and Sergeant Michael Wade, Newton Police Department; Acting Chief Greg Gentile, Newton Fire Department; Commissioner Jim McGonagle; Shawna Sullivan, Chief of Staff and Jason Sobel, Director of Transportation Operations Division, Public Works; Commissioner John Lojek, Inspectional Services Department; Jonathan Yeo, Chief Operating Officer, Maureen Lemieux, Chief Financial Officer; Lou Taverna, City Engineer

Others Present: Kikuyu Daniels, Mindful Livery, LLC. and Lisa Cinella, Transaction Corporate Shuttles,

#322-22 Appointment of Greg Gentile as Newton's Fire Chief

HER HONOR THE MAYOR requesting the confirmation of Greg Gentile as Newton's Fire Chief pursuant to Section 3-3 of the City Charter.

Action: Public Safety & Transportation Approved 6-0, Councilor Malakie not voting

Note: Acting Chief Gentile joined the Committee for discussion on this item.

Acting Chief Gentile stated that he is truly honored and humbled to being appointed by the Mayor as the next Fire Chief. He is a third generation firefighter; his father and grandfather were both Newton firefighters. He feels incredibly lucky to become a firefighter 18 years ago.

Committee members questions, answers and comments:

Please describe the trajectory of your career and the various roles you've had in the department.

His first five years were spent as a firefighter. The next five years as a Lieutenant in the Fire Prevention Division, which provided background on that job. That was followed by five years as a captain in the Training Division. The Training Division provided an opportunity to see all aspects of the department.

Three years ago, he was promoted to Deputy Chief. Two years ago, In April 2020 unexpectedly Chief Lucchetti asked him to take the position of Assistant Chief at the beginning of the pandemic. This period has been both the most difficult and rewarding few years of his life professionally.

Please explain the significant difficulties and hurdles the department has faced, particularly with respect to diversity, equity and inclusion (DEI) and the various matters that have come recently before the Council.

The fire service in general needs to take a look at what we're doing, how we're doing it to do it better.

What is your vision for the department? And where do you hope to take the department under your leadership?

Many Chiefs become Chief at an older age which has advantages. While Acting Chief Gentile has a learning curve in front of him, he can also set some long term goals and carve a legacy. His goals include diversifying the department, which will not happen overnight. This will take work, long term dedication and planning and he is committed to it.

The Fire Department has the youngest staff in the history of the City. The new chief has the opportunity to walk with those younger firefighters into the future and take us where we need to go. I think you have a lot of experience working with Chief Lucchetti through difficult times in the past several years. You have the confidence and support from the City.

Earlier this year, we settled a discrimination lawsuit. As the new Fire Chief what are you prepared to do to make sure we don't have to go through a lawsuit again?

This is a two-step process. First, training is a big part and we've started training. We've completed our respect in the workplace training, with 95% of the department being trained. Currently, we have supervisory level training with the same concept: everyone should be able to come to work feeling welcome, be respected and feel comfortable. Chief Lucchetti began this training and Acting Chief Gentile intends to continue this training. Second, when speaking of trying to diversify a department, it is a fire service issue in general, but it is necessary to address. The Acting Chief wants to diversify the candidate pool NFD receives through the civil service process. It will involve letting people know what this job is about. A firefighter job is not always the best paying job, but it is the most rewarding job in the world. We have to get that message out to men and women from all diverse backgrounds which will diversify the candidate pool and the department. I believe these two steps will address the issue that we had last year and hopefully prevent it from ever happening again.

Councilors wished Chief Gentile the best of luck in his position as Fire Chief.

Without further discussion, Councilor Lipof made a motion to approve this appointment. Committee members agreed 6-0, Councilor Malakie not voting.

Referred to Public Safety & Transportation and Finance Committees**#343-22 Appropriation of \$1,625,000 for Fire Rescue Overtime**

HER HONOR THE MAYOR requesting authorization to appropriate and expend the sum of one million six hundred twenty-five thousand dollars (\$1,625,000) from the June 30, 2021 Certified Free Cash to Acct # 0121022-513010 Fire Rescue Overtime.

Action: **Public Safety & Transportation Approved 6-0, Councilor Malakie not voting**

Note: Acting Chief Gentile and Ms. Lemieux joined the Committee for discussion on this item.

Ms. Lemieux stated that each year, the City expects to spend approximately \$1.2 million in overtime in the Fire Department. That amount was budgeted last year, but we returned looking for a significant amount of additional funds for fire overtime.

In that \$1.2 million, we expect to spend approximately \$500,000 on winter manning, adding an extra person on all runs, on all engine companies from January 1 to March 31. We expect to pay approximately \$700,000 a year for coverage for vacations, sick time, etc. In the past several years, we've had several different things happen with this account. The first, we will spend this year, approximately \$750,000 on the injured on duty or 111F account partly because there has been a change over the last several years with a presumption of many cancers being work related. Most cancers are covered under the presumption and goes into the 111F account that has caused that line item to rise but by the time we realized this last year, we couldn't add additional funds to the budget. This year, we added an additional \$250,000 to the budget, which will probably not be enough to cover the expenses we will incur next year. We have recognized that line item being an expense in our future. We've also had several retirements this year, spending about \$150,000 on vacation and sick leave buybacks. In addition to those two accounts, we had a few other key areas. The first, employees contracted COVID incurring approximately \$275,000 for COVID overtime expenditures. Due to COVID and because employees were not able to take vacations in FY21, we allowed our union and eighth grade employees to carry over more vacation time than normal. Because we had more vacation time that people needed to take this year, we incurred between \$150,000 to \$175,000, in overtime to cover those vacations. These two areas, amount to approximately \$450,000. We hope that next year, we will not see that as an expenditure. Hopefully COVID will not be as prevalent as we move forward.

We've had a tremendous staffing shortfall in our Dispatch Center; we now have police and firefighters covering shifts in the Dispatch Center. Approximately \$120,000 of this overage is because we've paid firefighters for covering dispatch. In addition, several years ago, when we negotiated the fire contract, we allowed the department within our collective bargaining agreement to set up a donation program to cover firefighters who need family medical leave. When firefighters donate their time, that often creates an overtime situation. Approximately \$55,000 was incurred as a result of our donor program. The dispatch situation will not resolve itself anytime in the near future. This may continue to be an expense. Donated time will not probably resolve itself. The 111F or injured on duty pay is approximately \$750,000. Since we've added \$250,000 to the budget this year, we hoped that overtime funding would be significantly less. We don't know the number of retirements this coming year but hopefully it will not cost \$150,000 in vacation and sick buybacks.

Committee members questions, answers and comments:

The overtime request is not out of line with what we've seen historically.

When Ms. Lemieux joins the Finance Committee to discuss this appropriation, it would be helpful if we could have 10 years of data.

I believe there is questioning from City Council about free cash and the approach to use free cash.

This amount is larger than the differential we were discussing with the school budget making it stand out.

Last year, we discussed overtime funding for the department, is this an annual request? Ms. Lemieux answered that she recalls requesting approximately \$1.2 million dollars for overtime last year, which was the highest amount ever requested. She hoped not to have to return for that amount this year until we can grow into either what this number has become or understand how we can reduce it. She then said that she would not be surprised to be back next year requesting overtime funds. If we're incurring \$750,000 a year for the cancer presumption, we have to grow into being able to budget that number. I am hopeful the \$450,000, COVID amount will not be part of it. The dispatch amount is not a permanent problem, but I expect it to continue into FY23. We have ten vacancies, the vacancies are not what drives this amount to this degree because we budget for full time salaries and vacant positions to have some level of education incentive, shift differential etc.

Is the City close to hiring the ten vacant positions? Acting Chief Gentile answered there are five cadets in the Fire Academy with six weeks remaining. The department also begun being proactive with the hiring process for an additional seven candidates for anticipated vacancies. It does continue to be a problem with getting cadets into an academy. COVID has backed up the fire academies pretty dramatically. The five cadets are Springfield, MA Fire Academy, saving us approximately five months of lead time. We're working with the Springfield and Holyoke Fire Departments to house our cadets. We are trying to hire and get cadets into the stations as quickly as possible.

I feel we are paying high salary to fire and police personnel to be working in the Dispatch Center. Is our dispatch salary not competitive? What solutions are necessary to fill the positions? Ms. Lemieux answered that we will talk to the union to see if there are different strategies that we can put in place. Part of the problem is we had several dispatchers leave at approximately the same time. We just can't hire and fill all empty positions at one time because it takes several months to train. At best we can only have three new people training in dispatch, one per shift. We have been struggling for a year; our solution was to have police and firefighters answer the calls. We have forced dispatchers to work extra shifts, which we don't want to continue to do. We are working on how to maintain qualified personnel to ensure we have the proper amount of staffing. It is expensive, but we believe it is far more important to have qualified people working the Dispatch Center than being concerned about the money.

When Ms. Lemieux joins the Finance Committee, please provide the difference between paying overtime for police and fire versus what we're paying the dispatchers.

Without further discussion, Councilor Bowman made a motion to approve this appropriation. Committee members agreed 6-0, Councilor Malakie not voting.

#238-22 Request to amend Chapter 19, Sec. 19-1. Definitions

CAPTAIN BOUDREAU requesting to amend Chapter 19, MOTOR VEHICLES AND TRAFFIC, Sec. 19-1. Definitions to include *Live Parking: The parking of a vehicle with a driver or operator in attendance.*

Action: Public Safety & Transportation Approved 6-0, Councilor Malakie not voting

Note: Captain Boudreau joined the Committee for discussion on this item.

Captain Boudreau stated that in Newton, there are approximately fifteen live parking areas. The areas are signed indicating “live parking”. Live parking areas are also referenced in the Traffic and Parking Regulations. The department receives calls from people asking what does live parking mean? We do our best to give our own definition, but thought it was best to have a definition approved by the Law Department to be added to the definitions in City Ordinance. If approved, the language will be given to the residents that call and the definition will also assist with ticket appeals.

Committee members questions and answers:

Is this language modeled in other municipalities? Captain Boudreau answered yes, it is very similar to nearby municipalities.

Without discussion, Councilor Oliver made a motion to approve this item. Committee members agreed 6-0, Councilor Malakie not voting.

#323-22 Requesting new public auto license

KIKUYU DANIELS, 250 Austin Street, Newton, MA 02465 requesting **one (1) new public auto license** for Mindful Livery LLC.

Action: Public Safety & Transportation Approved 6-0, Councilor Malakie not voting

Note: Docket items #323-22, #264-22 and #265-22 were discussed together. Please refer to docket #265-22 for the report on these discussions.

#264-22 Two (2) Bus Licenses renewals for 128 Business Council

TRANSACTION CORPORATE SHUTTLES requesting triennial renewal of the two Needham Shuttle Bus Licenses currently being operated by the 128 Business Council. There are no changes proposed from 2019.

Action: Public Safety & Transportation Approved 6-0, Councilor Malakie not voting

Note: Docket items #323-22, #264-22 and #265-22 were discussed together. Please refer to docket #265-22 for the report on these discussions.

#265-22 **Semi-annual taxi license/public auto inspections**
POLICE DEPARTMENT submitting reports of semi-annual taxi license/public auto inspections for review.

Action: **Public Safety & Transportation Approved 6-0, Councilor Malakie not voting**

Note: Docket items #323-22, #264-22 and #265-22 were discussed together.

Ms. Daniels, Ms. Cinella and Sergeant Wade joined the Committee for discussion on these items.

Sergeant Wade stated that, unfortunately, two taxi companies can no longer operate because their vehicle is over 10 years old and must be retired from taxi service, a City Ordinance requirement.

Mindful Livery, LLC, was inspected and passed inspection.

128 Business Council was inspected and passed inspection on two 2018 vehicles, Ford F550s.

Chair Downs stated that today, Councilor Bowman provided a memo on the status of the vehicle electrification roundtable discussion.

Without discussion, Councilor Bowman made a motion to approve docket items #323-22, #264-22 and #265-22. Committee members agreed 6-0, Councilor Malakie not voting.

Referred to Public Facilities and Public Safety & Transportation Committees

#69-22 **Requesting a discussion regarding snow clearing, operations and enforcement**
COUNCILORS DOWNS, BOWMAN, MARKIEWICZ, GROSSMAN, MALAKIE, WRIGHT, KELLEY AND NOEL requesting a discussion with the Department of Public Works and the Police Department regarding residential and commercial sidewalk snow clearing, operations and enforcement.

Action: **Public Facilities Held 7-0**
Public Safety & Transportation Held 7-0

Note: This report will be available at a later date.

Referred to Zoning & Planning, Public Facilities and Public Safety & Transportation Committees

#72-22 **Discussion with Police, DPW and Inspectional Services on sidewalk obstructions**
COUNCILORS DOWNS, BOWMAN, MALAKIE, HUMPHREY, WRIGHT, RYAN, GREENBERG, DANBERG, GROSSMAN, AND LUCAS requesting a discussion with Police, Public Works and Inspectional Services regarding sidewalk obstruction, enforcement, regulation, and operating procedures during construction used to ensure safety for nonmotorized road users.

Action: **Public Facilities No Action Necessary 7-0**
Public Safety & Transportation Held 7-0

Note: This report will be available at a later date.

Referred to Public Facilities and Public Safety & Transportation Committees

#70-22 Requesting a discussion regarding Traffic calming progress, plans, and adequacy of resources

COUNCILORS MALAKIE, NORTON, BOWMAN, DOWNS, GROSSMAN, AND WRIGHT requesting a discussion with the Department of Public Works and the Planning Department regarding Traffic Calming prioritization, selection of methods, effectiveness of completed projects, pending requests, adequacy of current funding and personnel, and timetable for addressing pending and new requests at current resource levels.

Action: **Public Facilities No Action Necessary 7-0**
Public Safety & Transportation Held 7-0

Note: This report will be available at a later date.

Referred to Public Safety & Transportation and Finance Committees

#344-22 Transfer \$75,000 to the Newton Police Department

HER HONOR THE MAYOR requesting authorization to transfer the sum of seventy-five thousand dollars (\$75,000) from Acct #0110952-511001 Human Resources Full Time Salaries, to a project account to provide technical support to the Newton Police Department.

Action: **Public Safety & Transportation Approved 7-0**

Note: Chief Carmichael joined the Committee for discussion on this item.

Chief Carmichael stated that in April 2022, IT Bureau Commander Steve Smith took a position with the Police Officers Standards and Training Commission (POST). Mr. Smith was instrumental in the department's operation of Information Technology (IT). Many programs the department administers were created by Mr. Smith, including the website. Mr. Smith extracted information from reports and published them on the website to allow all to view data. With Mr. Smith leaving, the City's IT Department stepped in to help other officers in the department who are assigned to IT.

As a way to supplement the department and progress forward, the department would like to hire a company that would do a certain number of IT hours per week to assist the department with maintaining standards to ensure no data is lost. At some point, the department will reevaluate whether it would be a good idea to have another IT person hired.

Chief Carmichael stated that the department signed the LexisNexis contract, a company that's going to extract crash data and provide different types of dashboards for posting on the department's website by breaking down different types of demographics, ages, vehicles, pedestrians, etc.

Committee members comments:

I want to applaud Chief Carmichael for taking this effort to move forward with data collection, it's critical. It is necessary to be more transparent with access to data for all.

It would be great as the permit program gets more integrated into the department to move away from paper reports to electronic reports that automatically populate, making data entry easier.

Without further discussion, Councilor Oliver made a motion to approve this appropriation. Committee members agreed 7-0.

The Committee adjourned at 9:50 p.m.

Respectfully submitted,

Andreae Downs, Chair