



Programs & Services Committee Report

City of Newton **In City Council**

Wednesday, March 23, 2016

Present: Councilors Rice (Chair), Leary, Hess-Mahan, Kalis, Schwartz, Auchincloss, Baker and Sangiolo

City Staff: David Olson (City Clerk), Karyn Dean (Committee Clerk)

#76-16 Mayor's appointment of Jessica Barton to Urban Tree Commission

JESSICA BARTON, 9 Proctor Street, Newton, appointed as a member of the URBAN TREE COMMISSION for a term to expire February 5, 2018 (60 days 5/6/16) [02/10/16 @ 10:00 AM]

Action: Approved 6-0 (Councilors Baker and Sangiolo not voting)

Note: Ms. Barton joined the Committee. She explained that she has been attending Urban Tree Commission meetings since the fall and learned that the UTC generally advises the City and the City Council on issues relative to trees. She would like to have a part in how trees can add to the experience in the City.

A Councilor asked about the solar panel carports that are being proposed for several sites in the City. While they seem like a good idea in the current climate, they can come at the expense of some trees and that makes their acceptance a more difficult decision. Ms. Barton said the UTC will be meeting on this in the coming week. She did note that at the Newton South site there were only a few small trees that would be removed and ultimately replaced. The Library site, however, has younger trees and some more mature trees that would be removed so she wondered if there might be an alternative to the Library site. Perhaps waiting for more information on how other sites are working would be useful. It is a delicate balance because both the solar panels and the trees are valuable.

The Committee thanked Ms. Barton for being willing to serve and unanimously approved her appointment.

#104-16 Mayor's appointment of Brooke Foucault Welles to Human Rights Commission

BROOKE FOUCAULT WELLES, 9 William Street, Newton, appointed to the HUMAN RIGHTS COMMISSION for a term to expire February 25, 2019 (60 days 5/06/16) [03/07/16 @ 4:37 PM]

Action: Approved 6-0 (Councilors Baker and Sangiolo not voting)

Note: Ms. Welles joined the Committee. She explained that she is an Assistant Professor of Communication Studies at Northeastern University and she studies new media communication and has recently been studying online activism. She is a Newton resident, mother of two and a

member of the First Unitarian Society of Newton all of which heightens her sense of activist sensibilities. She was particularly moved to join the HRC after an experience of housing discrimination she and her family endured relative to the lead paint laws. She wasn't sure where to turn and then found the HRC. This inspired her to attend meetings and she felt the work they were doing was important. Much of the work is non-child-friendly or just child-friendly by accident, however, and she would like to change that. She planned a night of discussions about race and racism with parents and children which went very well.

A Councilor observed that the HRC used to do programming around genocide and the Holocaust at the schools but has seen less of that and would support more, especially considering recent incidents of anti-Semitic graffiti and other activity seen at the schools and at a school event. Ms. Welles said she would like to work in the near term on the issues of race as well as income. She understands the Mayor's office is also working with the schools on some of those issues.

Councilor Kalis moved approval and the Committee voted in favor of Ms. Welles appointment.

#10-16 Polling location change from Memorial Spaulding School to Temple Beth Avodah
NEWTON ELECTION COMMISSION requesting the Newton City Council approve a change of polling location for Ward 8, Precinct 2 from the Memorial Spaulding School to Temple Beth Avodah at 45 Puddingstone Lane, Newton beginning with the September 2016 State Primary Election. [12/17/15 @ 5:21 PM]
Action: Approved 3-1-3 (Councilor Auchincloss opposed; Councilors Baker, Schwartz and Kalis abstaining; Councilor Sangiolo not voting)

Note: David Olson, City Clerk, joined the Committee. He introduced Election Commissioners Jan Huffman, Marjorie Butler and Nancy Levine; Commissioner John McDermott was unable to attend. Mr. Olson explained that the Election Commissioners made the decision to request the move of polling location from the Memorial Spaulding School to Temple Beth Avodah

Mr. Olson explained that in 2013, the School Department implemented security measures in all the schools. These measures included moving some of the polling locations to different areas of schools and that is what has occurred at Memorial Spaulding. The polls were formerly located in the gym, but the School Department did not feel that was secure as voters had to walk through a hallway to reach the gym. They moved the location to the basement cafeteria, which has a door leading to the outside parking lot. Polls workers and voters could therefore enter the polling area directly without walking through other parts of the school. The basement location has been adequate, but with the presidential election coming up and a significantly higher voter turnout expected than in years past, it is projected to become terribly inadequate. The Election Commission is concerned that the basement set-up will not be suitable to efficiently move voters in and out of the location without causing significant bottlenecks.

Mr. Olson prepared a handout for the Committee which is attached to this report. The handout demonstrates and explains a ranking system that was used to determine the more desirable

location. The criteria included Accessibility, Parking, Visibility, Walking Distance, Function of Space, Security, Public Safety, HVAC and Exclusive Use. Each criteria was given a score from 1-5. On a scale of 1 to 45, Temple Beth Avodah scored 41, while Memorial Spaulding scored 30.

Mr. Olson explained that the two locations are a 1-minute drive and a 3-minute walk apart.

Committee Questions/Comments

It was asked if there might be any conflict with Jewish holidays falling on election days. Mr. Olson explained that the City voted a Charter change so that elections do not have to be held on a Tuesday, which will provide flexibility. That change had been prompted by the desire to accommodate a number of religious holidays last year. The state is also aware of religious holidays and makes accommodations as well. The state primary will be on a Thursday this year in order to avoid religious holidays and Memorial Day and to give enough time for ballots to be printed in time for the November election. The Election Commission worked with the Temple to project out five years and there are no conflicts. The Commission's goal, as well as the state's goal, is to not schedule elections on religious holidays.

There was some concern about the use of the Temple for other events such as weddings or funerals. There was also concern with security as children are there on Tuesdays for Hebrew School. Mr. Olson explained that the security at the Temple is better than at Memorial Spaulding because the Hebrew School and daycare facilities are located in a completely separate building from the polling location. The administrator of the Temple was completely comfortable with that as well as with unexpected events such as funerals. They felt they would be able to make it work and were eager to have the polling location at the Temple.

At Memorial Spaulding there are teacher offices and bathrooms off the polling space and the only way for the children or teachers to get to those are through the polling location. Even though the basement is the most secure area of the building, teachers and children are still regularly traversing the area.

A Committee member asked if any problems had been evident at Memorial Spaulding in the past. Mr. Olson explained that the gym space, which had always been used, worked very well but it was not an option anymore. The safety policy of the School Department necessitated the move to the basement which he believes will not be a workable solution going forward, particularly for a presidential election. Since the move to the basement, the elections have been smaller with turnout of 20% or less with the last presidential election taking place in the gym space. There is an expected turnout of 80% or more for the upcoming presidential election and he feels the basement will be extremely inadequate. He explained further that even if the School Department allowed them back into the gym, the Temple is still a much more desirable and usable polling location overall, based on the scores.

One of the Election Commissioners noted that poll workers at Memorial Spaulding have complained that the space is very uncomfortable. The door leads right into the room which brings

in gusts of cold air for the entire 16 hours they are there. The wind screen does little to mitigate the cold. The space is narrow and movement and flow through the room is difficult. Because the space is right off the parking lot, there are buses and cars as well as trucks making deliveries, all which idle outside the door and exhaust fumes enter the space. Voters may not get the negative impact of the space in the few minutes they are there, but poll workers are there for 16 hours and the impact is significant.

A Committee member asked about the process of notifying the voters so they are aware of the change. Mr. Olson said they are required, by law, to send a mailing to each registered voter in the precinct with the information. On election day, there will be A-frames in front of Memorial Spaulding directing voters to the new location as well as at the Temple identifying it as the new location. A move was recently made from Fire Station One to Grace Episcopal Church which went very smoothly. If the postcard is missed, then signs direct voters to the appropriate location which is very close by. The inconvenience factor would be quite small. The costs involved would be postage for the mailings and a couple of A-frame signs.

A Committee member felt the Temple was not as central a location as the school. Mr. Olson said the criteria are subjective but both locations are very central. Some voting locations are not even within precincts but instead end up in adjacent precincts just because suitable locations are not available.

Some Committee members felt while the assessment has been rigorous, the civic benefit has not been quantified. He said that research shows that people vote differently in schools. There was sentiment that the School Department needed to be more flexible so that the societal benefits would not be lost.

Councilor Lipof noted that for over 35 years the gym was used, it seemed, without any problems. However, he understands that the times have changed and security issues are pressing. He also understands why they see the Temple as a more advantageous location for all the reasons covered in the ranking system. He would have preferred to keep the location in the school, however.

Councilor Lappin was concerned that the civic lesson was being removed from the equation. Parents picking up children would likely be voting there and that would be good for their children to see. She agreed that the basement was not a good spot, but moving it back to the gym might be workable with some extra security. She also heard that the Temple needed two weeks leeway before or after a holiday, but Mr. Olson said they retracted that requirement and now need only a day or two. Councilor Lappin asked if the City was paying the Temple to use the space and Mr. Olson said there was no cost involved. Ultimately, she would rather see the polling location stay at the school, moved to the gym with extra security.

Mr. Olson explained that the Election Commission is not looking to move out of the schools as a policy. The other schools seem to be working well for the most part. The Bowen School hasn't been ideal but they don't really have another option that would work better. They, therefore,

worked with Mike Cronin and the custodian to find a better space within the school and still meet their security protocols. The school will lose its library on election day in order to accommodate the change, but the school was comfortable with that. Other times they have had to move out of schools due to construction.

Some Committee members noted that the poll workers need to be considered, and that most of them are senior citizens. With an 80% turnout expected, the door will be opened all day and that would be very uncomfortable at Memorial Spaulding considering the layout. Also, the basement area is just not suitable in terms of size and flow. Considering that and all the other criteria, the move seems reasonable.

A Councilor noted that when an event like Newtown happens, security needs to be assessed and as a parent, that is of utmost importance. Having lived through that and 9/11, there is an unfortunate reality that security has to be considered.

Councilor Rice noted that both the Waban and Zervas community do not want the polling location moved back to Zervas. Two precincts were moved. Both the Waban Improvement Society and the Zervas PTO donated money to put a ramp in to the Waban Library. The Library loves having the election there and the School loves not having it there due to the logistical problems it had experienced.

Councilor Hess-Mahan moved approval and the Committee voted 3-1-3 to approve with Councilor Auchincloss opposed; Councilors Schwartz and Kalis abstaining; Councilor Baker also abstained because he said he was not there for much of the conversation.

#31-15 Proposing an ordinance to limit leaf blower use

PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20 PM]

Action: Held 8-0

#31-15(2) Amend Noise Ordinance restrictions for yard maintenance equipment

THE PROGRAMS & SERVICES COMMITTEE requesting to amend *Chapter 20-13, Noise Control*, relative to time restrictions on the use of yard, garden or grounds maintenance equipment. [03/19/15 @ 12:14 PM]

Action: Held 8-0

Note: A report of the leaf blower discussion will be forthcoming.

The Committee voted to hold both items.

Respectfully Submitted,

John B. Rice, Chair

#10-16 Request to Move the Polling Location for Ward 8 Precinct 2

from

Memorial-Spaulding School

to

Temple Beth Avodah

10 Criteria Used to Rank Each Polling Location

9 of the 10 Criteria were Rated on a Scale of 1 to 5

Perfect Score is 45

WARD	PRECINCT	POLLING LOCATION	Handicap Access	Parking	Visibility	Walking Distance	Bathroom Access
8	2	Memorial Spaulding School	3	2	5	5	Y
8	2	Temple Beth Avodah	5	5	3	5	Y

WARD	PRECINCT	POLLING LOCATION	Function of Space	Security	Public Safety	HVAC	Exclusive Use	Overall Rating
8	2	Memorial Spaulding School	2	3	5	3	2	30
8	2	Temple Beth Avodah	5	5	5	5	3	41



Memorial-Spaulding School

Temple Beth Avodah

Handicap Access



Memorial Spaulding School

2 Handicap Parking Spaces also needed by School.

Handicap Access Rating 3



Temple Beth Avodah

9 Handicap Parking Spaces on grade with Entrance.

Handicap Access Rating 5

Parking



Memorial Spaulding School

50 Parking Lot Spaces

(All occupied by School Staff)

On-Street Parking

Parking Rating 2



Temple Beth Avodah

100+ Parking Lot Spaces

Parking Rating 5

Visibility



Memorial Spaulding School

On Brookline Street

Visibility Rating 5

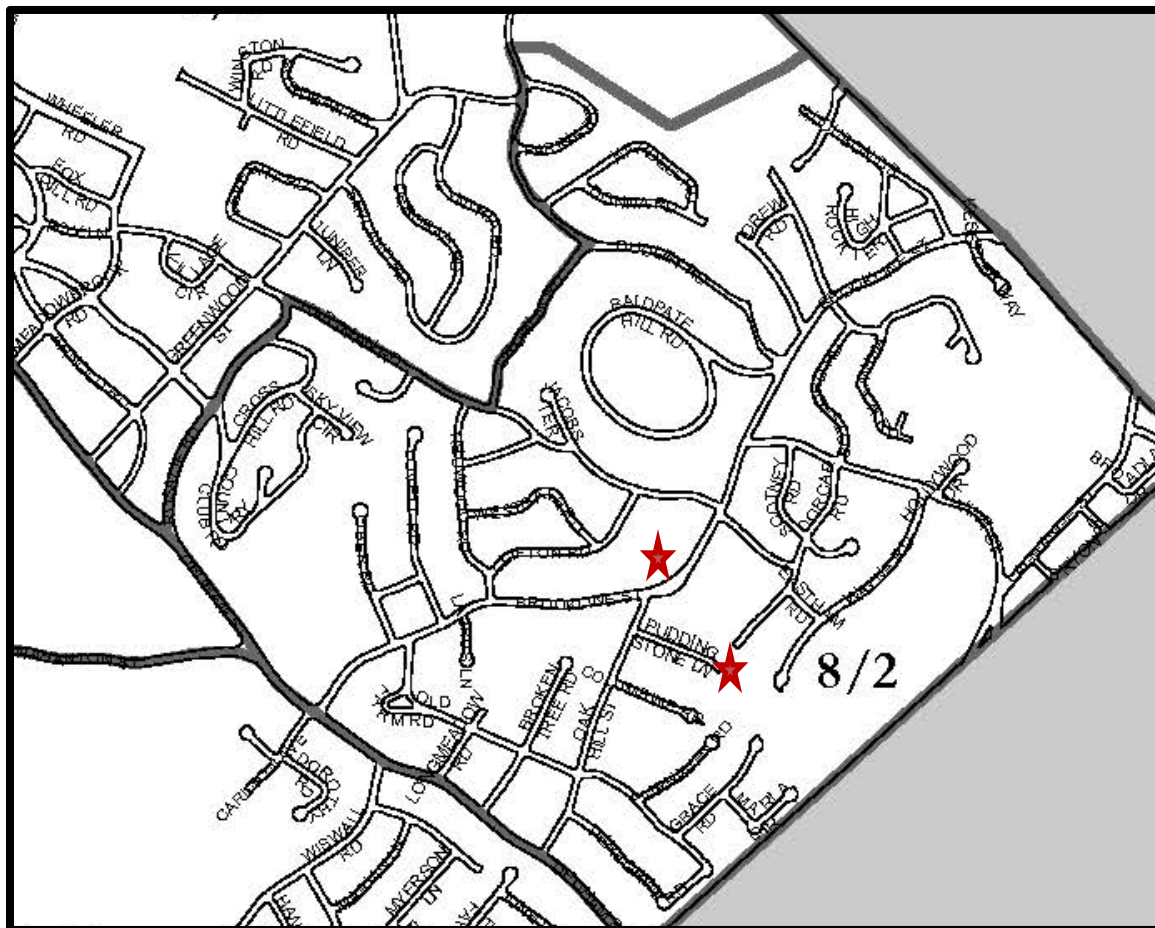


Temple Beth Avodah

Puddingstone Lane

Visibility Rating 3

Walking Distance



Memorial Spaulding School

On Brookline Street

Walking Distance Rating 5

Temple Beth Avodah

Puddingstone Lane

Walking Distance Rating 5

Function of Space



Memorial Spaulding School

Long Narrow School Cafeteria with very tight quarters.

Function Rating 2



Temple Beth Avodah

Large Open Conference Room

Function Rating 5

HVAC



Memorial Spaulding School

Single Door straight to outside
with wind screen.

HVAC Rating 3



Temple Beth Avodah

Double door vestibule with corridor
to voting location.

HVAC Rating 5