CITY OF NEWTON

IN BOARD OF ALDERMEN

POST AUDIT & OVERSIGHT COMMITTEE AGENDA

SPECIAL MEETING

TUESDAY, NOVEMBER 1, 2011

7:30 pm
Room 209 NOTE NEW DATE, TIME AND ROOM NUMBER

ITEMS SCHEDULED FOR DISCUSSION:

#294-11 ALD. SANGIOLO, requesting discussion with the Law Department and Elections Commission regarding City Charter language relative to eligibility/residency requirements for candidates for both School Committee and the Board of Aldermen as amended by Docket Item #9-02, which resulted in a home rule petition which was approved by the Massachusetts General Court in its Acts and Resolves of 2002, Chapter 368. [10/11/11 @ 4:49 PM]

It is the Chairman's intention to entertain a motion to vote No Action Necessary on the following item:

#323-10 ALD. YATES requesting a report from the Newton Housing Authority (NHA) on the posting of names and contact information of members of the Board of the NHA on bulletin boards in the community centers of NHA developments and on the website of the NHA. [11/01/10 @ 9:44 PM]
HELD 4-0 on 01/25/11

ITEMS NOT SCHEDULED FOR DISCUSSION:

REFERRED TO POST AUDIT by ZONING & PLANNING COMMITTEE on 04/25/11

#30-10(2) POST AUDIT & OVERSIGHT COMMITTEE requesting a discussion with the Planning & Development Department relative to the governance process of the Newton Community Development Authority (NCDA), including recommendations and potential changes to the NCDA. [01/26/09 @ 9:00 PM]
ZONING & PLANNING REFERRED 6-0 (Baker not voting) on 04/25/11

#377-09 ALD. JOHNSON requesting discussion with the Executive Secretary of the Elections Commission on the access to and quality of the Newton Voter Files. [10/26/09 @ 9:02 PM]
RECOMMEND TO HOLD 3-0 on 03/29/11

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditz at 617-796-1156 or tguditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting.

#375-08 ALD. PARKER, JOHNSON, LINSKY AND SWISTON requesting follow-up discussion on the Payments-In-Lieu-of-Taxes (PILOT) budget resolution passed by the Board of Aldermen as part of the Fiscal year 2009 operating budget discussion. [10/14/08 @ 3:35 PM]
HELD 5-0 on 03/23/10

#300-08(2) ALD. JOHNSON, SWISTON AND SHAPIRO requesting discussion with the Executive Department and School Department as to the procedures that are in place to ensure accountability of their staff in respect to adherence to the authorization of purchasing and expenditures policy and procedures. [03/23/10]

Respectfully submitted,

Greer Tan Swiston, Chairman

#9-02

CITY OF NEWTON

IN BOARD OF ALDERMEN

March 4, 2002

ORDERED:

That the Board of Aldermen hereby requests and authorizes His Honor the Mayor to submit a home rule petition to the General Court requesting amendments to the City Charter, as set out below:

Section 1. Subsection (b) of section 2-1 of the charter of the city of Newton, which is on file in the office of the archivist of the commonwealth as provided by section 12 of chapter 43B of the General Laws, is hereby amended by inserting after the first sentence, the following two sentences :

> Every candidate for the office of alderman shall be a resident of the ward from which he/she seeks election as of the date that the Election Commission makes available blank forms for the nomination of candidates for office. In order to hold the office of alderman, a candidate shall have continuously been a resident of the ward from which he/she is elected from the date that the Election Commission made such blank forms available until and including the first day of the term for which he/she is elected.

Section 2. Subsection (b) of section 4-1 of the charter of the city of Newton, which is on file in the office of the archivist of the commonwealth as provided by section 12 of chapter 43B of the General Laws, is hereby amended by inserting after the first sentence, the following two sentences:

> Every candidate for the office of school committeeman shall be a resident of the ward from which he/she seeks election as of the date that the Election Commission makes available blank forms for the nomination of candidates for office. In order to hold the office of school committeeman, a candidate shall have continuously been a resident of the ward from which he/she is elected from the date that the Election Commission made such blank forms available

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MAYOR'S OFFICE

until and including the first day of the term for which he/she is elected.

Section 3. This act shall take effect upon its passage.

Under Suspension of Rules
Readings Waived and Approved
17 yeas 5 nays (Ald. Basham, Bullwinkle, Coletti, Mansfield, and Salvucci)
1 vacancy

EXECUTIVE DEPARTMENT
Approved: March 6, 2002

Edward G. English

(SGD) EDWARD G. ENGLISH
City Clerk

David B. Cohen

(SGD) DAVID B. COHEN
Mayor

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9.02

CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM

2002 NOV 15 PM 2:06
CITY CLERK
NEWTON, MA 02159

DATE: November 15, 2002

TO: Full Board of Aldermen

FROM: Daniel M. Funk, City Solicitor

RE: Charter Amendment -- docket #9-02

This is to let you know that the General Court has passed our Charter Amendment. Rep. Peter Koutoujian has advised that the Governor recently signed it into law as Chapter 368 of the Acts of 2002.

This amendment affects sections 2-1 and 4-1 of the City Charter by requiring aldermen and school committee members, respectively, to "have continuously been a resident of the ward from which he is elected from the date that the election commission made such blank forms available until and including the first day of the term for which he is elected."

Board Order #9-02, dated March 4, 2002, authorized the filing of a Home Rule petition for this legislation.

A copy of the full text is enclosed.

enclosure

#294-11
9.02

*2002 Mass. ALS 368, *; 2001 Mass. H.B. 5210*

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STATENET
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MASSACHUSETTS 182ND GENERAL COURT -- 2002 REGULAR SESSION

CHAPTER 368

HOUSE BILL 5210

2002 Mass. ALS 368; 2001 Mass. H.B. 5210

SYNOPSIS: AN ACT RELATIVE TO RESIDENCY REQUIREMENTS FOR CANDIDATES FOR LOCAL OFFICE IN THE CITY OF **NEWTON.**

To view the next section, type .np* TRANSMIT.
To view a specific section, transmit p* and the section number. e.g. p*1

2002 NOV 13 PM 2:02
CITY CLERK
NEWTON, MA 02159

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

[*1] SECTION 1. Subsection (b) of section 2-1 of the **charter** of the city of **Newton,** which is on file in the office of the archivist of the commonwealth as provided by section 12 of chapter 43B of the General Laws, is hereby amended by inserting after the first sentence the following 2 sentences: A candidate for the office of alderman shall be a resident of the ward from which he seeks election as of the date that the election commission makes available blank forms for the nomination of candidates for office. In order to hold the office of alderman, a candidate shall have continuously been a resident of the ward from which he is elected from the date that the election commission made the blank forms available until and including the first day of the term for which he is elected.

[*2] SECTION 2. Subsection (b) of section 4-1 of said **charter** is hereby amended by inserting after the first sentence the following 2 sentences: A candidate for the office of school committeeman shall be a resident of the ward from which he seeks election as of the date that the election commission makes available blank forms for the nomination of candidates for office. In order to hold the office of school committeeman, a candidate shall have continuously been a resident of the ward from which he is elected from the date that the election commission made such blank forms available until and including the first day of the term for which he is elected.

[*3] SECTION 3. This act shall take effect upon its passage.

HISTORY:
Approved **November** 7, 2002

SPONSOR:
Khan

Source: Legal > States Legal - U.S. > Massachusetts > Statutes & Legislative Materials > MA - Massachusetts Advance Legislative Service
Terms: newton and charter and date(geq (october 20, 2002) and leq (november 12, 2002)) (Edit Search)
View: Full
Date/Time: Tuesday, November 12, 2002 - 4:21 PM EST

matters not admitting of delay, but he shall have no power to make permanent appointments. During any period in which the president or the vice-president of the Board of Aldermen is serving as Acting Mayor, he shall not serve as the presiding officer of the Board of Aldermen.

Sec. 3-10. Vacancy in Office of Mayor.

If a vacancy occurs in the office of Mayor, by death, resignation, removal from office, failure to elect or otherwise, at any time preceding the last nine calendar months of the term for which he was elected, the Board of Aldermen shall forthwith call a special election to fill such vacancy for the remainder of the unexpired term. If a vacancy occurs in the office of Mayor during the last nine calendar months of the term for which he was elected, the Clerk of the Board shall forthwith call a special meeting of the Board of Aldermen, and the Board of Aldermen shall by majority vote of the full Board elect one of its members as Acting Mayor for the remainder of the unexpired term. If the Board of Aldermen fails to elect an Acting Mayor as aforesaid within thirty days of the date of the meeting called by the Clerk of the Board, the president of the Board of Aldermen shall become Acting Mayor, shall exercise all the rights and powers of the Mayor, and shall be sworn to the faithful performance of his duties. Upon the election and qualification of any member of the Board of Aldermen as Acting Mayor under the provisions of this section, a vacancy shall exist in his aldermanic seat.

The restriction contained in Section 3-1 relative to holding other office or actively engaging in a business, occupation or profession shall not apply to an Acting Mayor holding office under this section. The removal from residency within the City shall create a vacancy in such office. (Referendum of 11-4-75)

ARTICLE 4.
SCHOOL COMMITTEE

Sec. 4-1. Composition; Eligibility; Election and Term.

(a) Composition—There shall be a School Committee of nine members, which shall exercise control and management of the public schools of the City. Eight of these members, who shall be known as school committeemen, shall be nominated and elected by the voters at large, one school committeeman to be elected from each of the eight wards of the City. The Mayor shall serve, ex officio, as a member of the School Committee, with full power to vote. The School Committee shall be the judge of the election and qualification of its members.

(b) Eligibility—Only voters shall be eligible to hold the office of school committeeman. A candidate for the office of school committeeman shall be a resident of the ward from which he seeks election as of the date that the election commission makes available blank forms for the nomination of candidates for office. In order to hold the office of school committeeman, a candidate shall have continuously been a resident of the ward from which he is elected from the date that the election commission made such blank forms available until and including the first day of the term for which he is elected. A member of the School Committee shall, notwithstanding his removal from one ward of the City to another, continue to serve and to perform his official duties during his term of office. The removal from residency within the City shall create a vacancy in such office.

(c) Election and Term—The terms of school committeemen shall be two years beginning the first secular day of January after their election and until their successors are qualified. No person shall be eligible for election to the School Committee for a fifth consecutive full term. (Referendum of 11-4-75; Acts of 2002, chap. 368)

Sec. 4-2. Organization; Quorum; Rules of Procedure.

(a) Organization—After the Mayor-elect and a majority of the school committeemen-elect have been sworn, the School Committee shall be called together by the Mayor who shall preside. The School Committee shall then elect from among its members a chairman and a vice-chairman, who shall act as chairman during the absence or disability of the chairman. The School Committee shall also elect a secretary who shall not be one of its members. The chairman, vice-chairman, and secretary shall serve at the pleasure of the School Committee.

ARTICLE 2.
LEGISLATIVE BRANCH

Sec. 2-1. Composition; Eligibility; Election and Term.

(a) Composition—There shall be a Board of Aldermen of twenty-four members which shall exercise the legislative powers of the City. Sixteen of these members, to be known as aldermen at large, shall be nominated and elected by the voters at large, two such aldermen at large to be elected from each of the eight wards of the City. The other eight members, to be known as ward aldermen, shall be nominated and elected by and from the voters of each ward, one ward alderman to be elected from each of the eight wards of the City. The Board of Aldermen shall be the judge of the election and qualification of its members.

(b) Eligibility—Only voters shall be eligible to hold the office of alderman. A candidate for the office of alderman shall be a resident of the ward from which he seeks election as of the date that the election commission makes available blank forms for the nomination of candidates for office. In order to hold the office of alderman, a candidate shall have continuously been a resident of the ward from which he is elected from the date that the election commission made the blank forms available until and including the first day of the term for which he is elected. A member of the Board of Aldermen shall, notwithstanding his removal from one ward of the City to another, continue to serve and to perform his official duties during his term of office. The removal from residency within the City shall create a vacancy in such office.

(c) Election and Term—The terms of aldermen shall be two years beginning the first secular day of January after their election, and until their successors are qualified. (Referendum of 11-4-75; Acts of 2002, chap. 368)

Sec. 2-2. President and Vice-President of the Board of Aldermen.

After the Mayor-elect and a majority of the aldermen-elect have been sworn, the Board of Aldermen shall be called together by the Mayor who shall preside. The Board of Aldermen shall then elect, from among its members, a president and vice-president to serve at the pleasure of the Board of Aldermen. The president shall preside at meetings of the Board of Aldermen and perform such other functions as may be assigned by the charter, by ordinance or by vote of the Board of Aldermen. The vice-president shall act as president during the absence or disability of the president.

Sec. 2-3. General Powers and Duties.

Except as otherwise provided by law or the charter, all powers of the City shall be vested in the Board of Aldermen which shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law.

Sec. 2-4. Prohibitions.

(a) Appointment After Expiration of Term—No former alderman shall hold any compensated appointive City office or City employment until one year after the expiration of his service on the Board of Aldermen. This provision shall not prohibit a former City employee or City officer from resuming his duties as such City officer or City employee at the conclusion of his service as alderman.

(b) Interference in Administration—No member or committee of the Board of Aldermen shall directly or indirectly take part in the conduct of the executive or administrative business of the City.

Sec. 2-5. Filling of Vacancies.

(a) Special Election—If there be a vacancy, by failure to elect or otherwise, on the Board of Aldermen within the first fifteen calendar months of the term for which aldermen are elected, the Board of Aldermen shall forthwith call a special election to fill such vacancy. Such election shall be by the voters of the whole City in the case of aldermen at large, or by the voters entitled to such representation in the case of ward aldermen.

(b) After Regular City Election—If such vacancy shall occur after fifteen calendar months of the term for which aldermen are elected, no special election shall be held. In the case of a vacancy in the office of ward alderman, the person elected at the next regular City election to the seat in which the vacancy exists

MEMO

Harvey Epstein, Executive Director
Newton Housing Authority
82 Lincoln Street
Newton Highlands, MA 02461

To: All Residents of the Newton Housing Authority
Subject: NHA Board of Commissioners

October 18, 2011

The following is a list of the current Board of Commissioners of the Newton Housing Authority and their contact information.

Thomas Turner- Chairman
tturner@newtonhousing.org

Howard Haywood- Vice-Chairman
hhaywood@newtonhousing.org

Mary Panaggio- Treasurer

Jeffrey Sacks- Commissioner
jsacks@newtonhousing.org

Rick Kronish- Commissioner
rkronish@newtonhousing.org

All commissioners can be contacted through the Newton Housing Authority main office:

82 Lincoln Street
Newton Highlands, MA 02461
Telephone: 617-552-5501
Fax: 617-964-8387